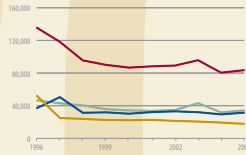
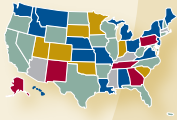


Examining the Work of State Courts



A National Perspective from the Court Statistics Project



www.courtstatistics.org

2006

Examining the Work of State Courts
A National Perspective from the Court Statistics Project

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The content and design of all products produced by the CSP benefit greatly from the guidance of the members of the Court Statistics Committee of the Conference of State Court Administrators (COSCA). The committee members have given generously of their time, talent, and experience, and their participation has been invaluable to project staff.

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to acknowledge the guidance and constructive comments provided by Thomas Cohen and Lynn Langton of BJS. Nevertheless, the points of view stated in this document are those of the authors and do not necessarily represent the policies of that agency. The more general responsibility for developing the CSP products and promoting improvements to court statistics is shared with the National Center for State Courts management, working under the policy direction of the COSCA Court Statistics Committee.

Special thanks to Neal Kauder of Visual-Research, Inc., for his creative ideas and leadership in information design, helping the CSP publications and Web site turn our complex court data into useful knowledge. Also to Judith Sullivan Phillips who skillfully managed page design, assisted with printing, and helped make this report both a print and interactive electronic publication.

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Foreword

The publications of the Court Statistics Project (CSP) offer a detailed picture of the work of the nation's state courts.

The Court Statistics Project produces three regular publications to provide the most comprehensive, up-to-date information regarding the nation's state courts: a pair of annual reports entitled *Examining the Work of State Courts (EWSC)* and *State Court Caseload Statistics (SCCS)*, and the *Caseload Highlights* series. The purpose of *Examining the Work of State Courts* is to provide a concise, graphically oriented volume that makes court statistics more accessible and easier to understand. *EWSC* has been designed to be interactive, giving the reader on-line access to information that can not reasonably be included in the text of the document. This format encourages the use of the Web and provides the reader with a multitude of additional resources that help to facilitate the understanding of the work of state courts.

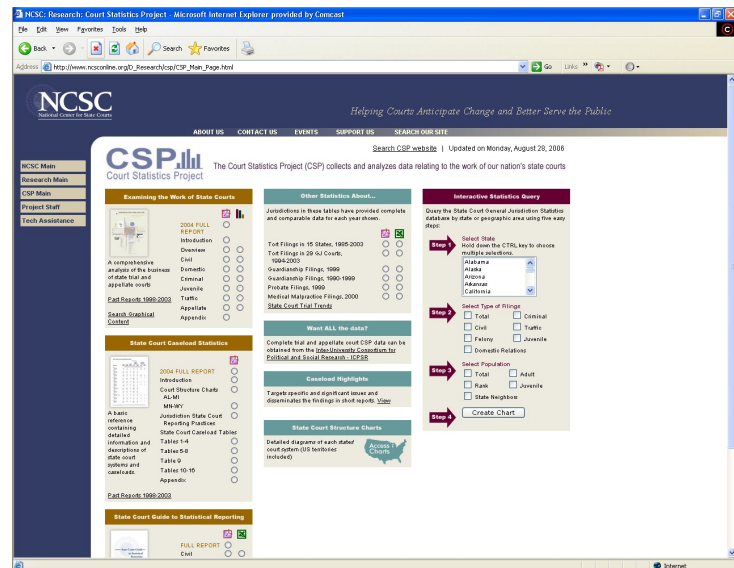
SCCS is a discrete reference volume, containing structure charts, statewide aggregate caseload data and reporting practices, population trends, and a detailed explanation of the Court Statistics Project methodology. Beginning with the last issue (2005), *SCCS* is exclusively available on the Web at www.courtstatistics.org. Web publishing of *SCCS* was a logical step as the various sections of that volume benefit from real time, rather than annual, updating (e.g., changes in the court structure charts). The nature of that data also allows taking full advantage of Web publishing to make it more accessible to those who want to obtain and utilize the data, rather than view tables on a printed page.

In addition, the CSP achieved financial and environmental savings associated with the elimination of printing and mailing the books.

The *Caseload Highlights* series continues to provide short, periodic reports on specific and significant issues. The Court Statistics Project recognizes that informed judges and court managers want comparative information on a range of policy-relevant topics, and want it in a timely fashion and in a condensed, readable format. *Caseload Highlights* supplements the annual *Examining the Work of State Courts* and is also timely in terms of the data and subject matter covered. Issues are available at www.ncsconline.org/d_research/csp/highlights/highlights_main_page.html.

"Do not put your faith in what statistics say until you have carefully considered what they do not say."

William W. Watt



NCSC Court Statistics Project Home Page
www.courtstatistics.org

These publications are developed with generous support from the Department of Justice's Bureau of Justice Statistics (BJS). Detailed descriptive information on court structure is provided by another National Center for State Courts (NCSC) and BJS joint project, *State Court Organization*. Topics covered include: the number of courts and judges; judicial selection; jury qualifications and verdict rules; and processing and sentencing procedures of criminal cases. Court structure diagrams summarize the key features of each state's court organization. The 2004 edition is available through BJS and at www.ojp.usdoj.gov/bjs/abstract/scoo4.htm.

Finally, the CSP continues to promote the implementation and use of the *State Court Guide to Statistical Reporting* (hereafter referred to as the *Guide*). Developed with support from the State Justice Institute and with close guidance from the Conference of State Court Administrators' (COSCA) Court Statistics Committee, the *Guide* is a tool for improving court administration by providing a national model for data reporting with concise descriptions and definitions of case types and disposition types, as well as a standardized framework in which to report these

categories. Among other improvements, the *Guide* provides courts with ways to account for the significant amount of judicial and staff time and effort required for the post-judgment activities associated with some types of cases, such as juvenile and domestic relations cases. The *Guide* is available in PDF on the NCSC Web site at www.courstatistics.org as well as via an online interactive version at www.ncscstatsguide.org.

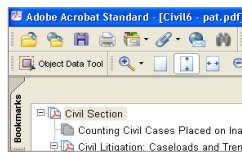
Taken together, these publications constitute the most complete research and reference sources available on the work of the nation's state courts. The Court Statistics Project produces this information and analysis in the hope that it will inform local, state, and national policy and management discussions.

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What Follows: A Print and Electronic Document Design

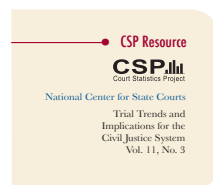
For the second year, *Examining the Work of State Courts* (EWSC) is being published in both a print and electronic format. By closely aligning their designs, the printed and electronic documents provide the user with an efficient on-line experience by delivering an interactive and seamless transition from one reading platform to another. The user still has complete access to the printed document, but also has a portable electronic PDF document that gives instant access to underlying data and links to external resources that give broader context to traditional Court Statistics Project data analysis. The added functionality will be seen by readers through special symbols and icons on EWSC pages (in both printed and PDF formats). Features and the corresponding navigation aides are as follows:



Bookmarks – a listing of section headings, tables, and charts located in a separate window on the left side of the electronic (pdf) file which allows quick and efficient navigation throughout the document.



Data Icon – clicking the 'Excel' icon opens a file containing the raw data for the graphic.



Hot Tabs – clicking a 'hot tab' takes the user to a pre-programmed website destination. Six types of hot tabs have been designed for EWSC: *On the Web*, *Statistical Guide*, *CSP Resource*, *NCSC Resource*, *BJS Resource*, and *CourTools*. Website destinations listed on the hot tabs are designed to expand upon subject material being discussed within the document.

*State Court Guide to
Statistical Reporting
or Guide*

Hot Links – integrated into the text with programmed website destinations. Hot links are indicated by red type and supplement the subject being discussed.



Electronic Feature Indicator – most interactive electronic features in the document are indicated by a red line, which allows the user to see the location of clickable navigation features when browsing through a document.

How Many “Courts” Are There?

This is a reasonable question and the Court Statistics Project (CSP) receives regular requests for an answer to it. Although it may seem fairly straightforward, determining an accurate number of courts in the United States would require a definition that is equally applicable across states with very different structures and definitions of their own. *Black’s Law Dictionary*, Sixth Edition, defines *court* as, “An organ of the government, belonging to the judicial department, whose function is the application of laws to controversies brought before it and the public administration of justice.” It goes on to define no less than 16 different *kinds* of courts and lists about 40 names used to describe trial courts in the states. Additionally, several names are used in labeling appellate courts, such as Supreme Court, Commonwealth Court, Court of Appeals, Courts of Appeal, Civil Court of Appeals, and so on.

Based on jurisdictional information submitted for the structure charts contained within this volume’s sister publication, *State Court Caseload Statistics*, and by their own definitions, the CSP estimates there to be approximately 16,000 “courts” in the United States, the District of Columbia, and Puerto Rico. However, this number may be somewhat misleading and is not derived from any universally agreed upon definition. For example, Texas, the second-largest state, considers each judgeship in the state to be a court and thereby reports over 3,300 trial courts statewide. Conversely, California, the largest state, has 58 superior courts in its trial court system.

These variations in definitions have prompted the CSP to devise a more practical way to group the jurisdictional entities within each state for the purposes of collecting and reporting data. The result is what we have come to call the “CSP Reporting Unit.” Presently there are 186 reporting units that together comprise the entire national trial court caseload. A count

of all Courts of Last Resort and Intermediate Appellate Courts located in the 50 states, DC, and Puerto Rico yields an additional 100 appellate court reporting units. This should not be interpreted to mean that each of the 50 states has one court of last resort (COLR) and one intermediate appellate court (IAC); some states do not have an IAC, and some have two COLRs, one for civil and one for criminal matters.

A reporting unit is comprised of the aggregate caseload for each state-level court depicted on the state structure charts. For example, California, with its unified trial court system, shows a Supreme Court (court of last resort), the Courts of Appeal (intermediate appellate courts), and the Superior Court (unified trial court), for a total of three reporting units. Despite six districts representing the Courts of Appeal and at least one Superior Court courthouse located in each of California’s 58 counties, each of these entities is considered one reporting unit by the CSP.

In other words, each level of the state court system reports a body of data that pertains to the caseload of that level of court. Exceptions occur when multiple courts together comprise the entire jurisdictional caseload for a state. For example, Colorado’s District Court is the court of general jurisdiction for the entire state except for the probate and juvenile caseloads in the city of Denver. The CSP therefore combines the caseloads of these three courts into one reporting unit. The result is four reporting units comprising the entire statewide trial court caseload for Colorado: 1. District + Denver Juvenile + Denver Probate; 2. Water Court; 3. County Court; and, 4. Municipal Court.

When we refer to a state’s general jurisdiction caseload, we are actually referring to the reporting unit that represents the aggregate caseload for all of the general jurisdiction courts in that state. But for the benefit of those who have not read this explanation, we will continue to use the term “courts.”

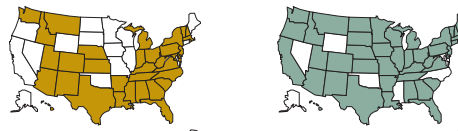
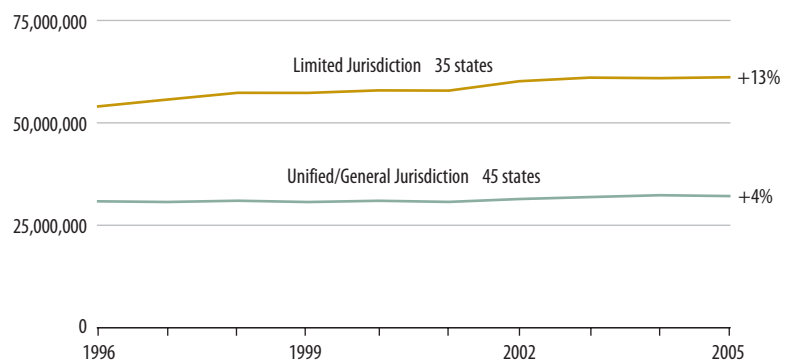
Caseload Trends in State Courts, 1996-2005

A new feature in this issue of *Examining the Work of State Courts* is the following series of displays of incoming caseload trends in state courts. This year all trend data have been consolidated into this section and expanded by several case types that have never appeared before.

The unusual nature of state court data requires the reader to use caution when interpreting the information that follows. First, as some courts have never reported data for the case types over which they have jurisdiction, and as others have only reported data for some years or some case types (and were therefore excluded), none of the following charts is fully or nationally representative in terms of *volume*. For a caseload trend line to be accurately indicative of the *movement* of incoming caseloads—up or down—it must be derived from a consistent number of states or courts and of a consistent level of quality across the years (in this case, the ten-year period between 1996 and 2005, inclusive). Hence, these trend lines are designed only to give an idea of how caseloads have changed in the included states over the last 10 years.

Special attention should also be paid to the scales used on these charts. Because each successive page features a component part of the total caseloads in state courts, and because charts typically show subsets of caseloads, the scales used to display the information also change from chart to chart. A typical progression might lead from millions to hundreds of thousands to tens of thousands on one page; it is important to note these changes in scale for an accurate idea of volume. However, the percentage change shown at the end of each trend line always refers to the difference between the first (1996) and last (2005) point on the chart. These references to increases or decreases are comparable across scales and are not affected by the numbers of cases represented.

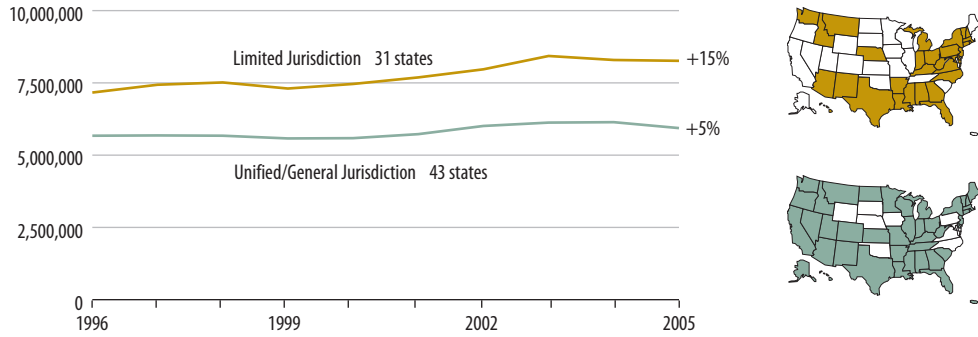
Total Incoming Caseloads in State Courts, 1996-2005



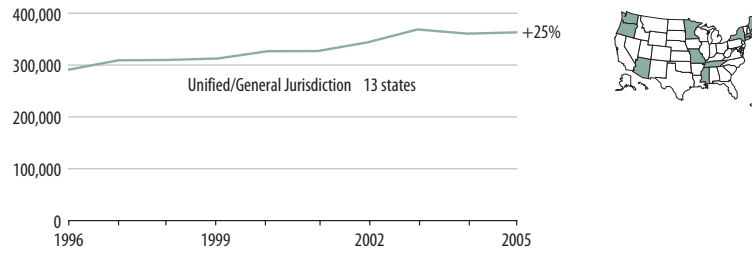
Civil Caseload Trends, 1996-2005

Incoming civil caseloads have increased modestly in the past 10 years. Much of the upward trend is likely attributable to a rise in incoming contract cases, as most other case types have shown little or negative growth.

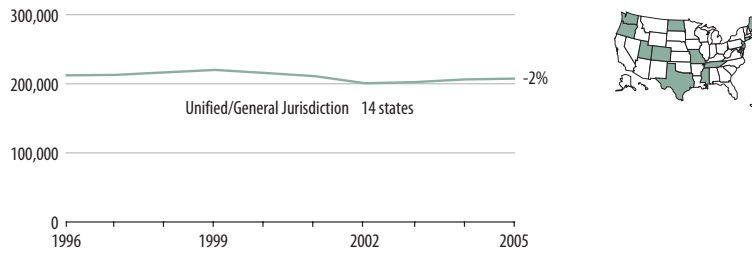
Total Incoming Civil Caseloads



Contract

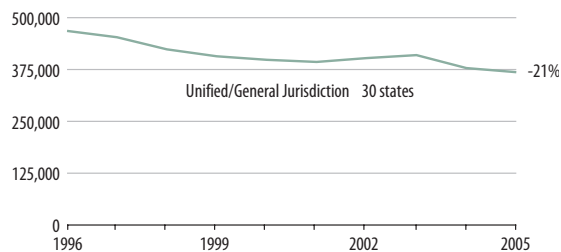


Real Property

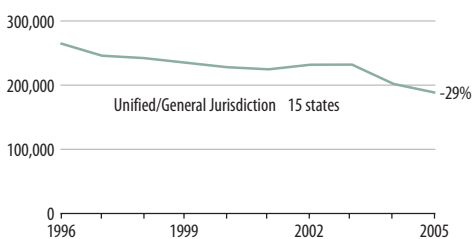


Most states reported a decreasing number of incoming tort cases between 1996 and 2005. Short-term increases followed by decreases are often the result of tort reforms enacted in some of the included states. The erratic nature of the product liability caseload reflects reforms enacted at various times during that period in 3 of the 8 states.

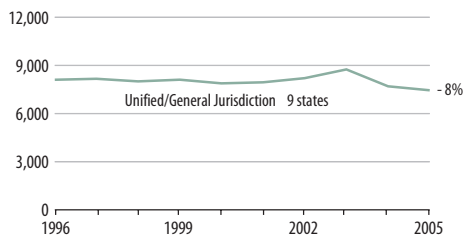
Tort



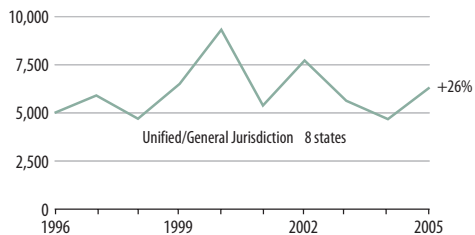
Automobile Tort



Medical Malpractice

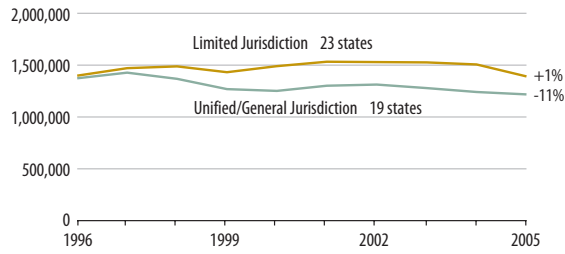


Product Liability

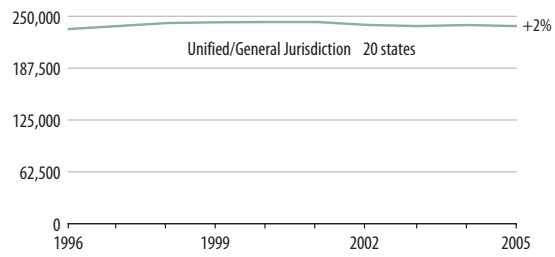




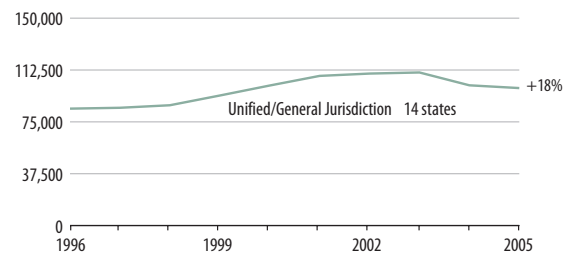
Small Claims



Probate/Wills/Intestate



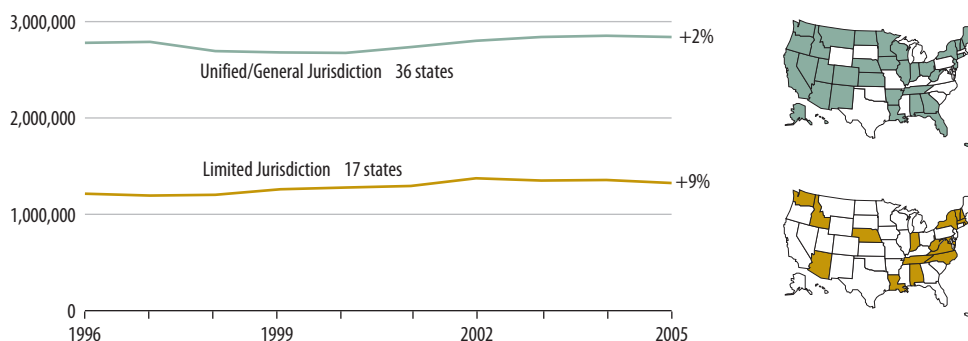
Guardianship



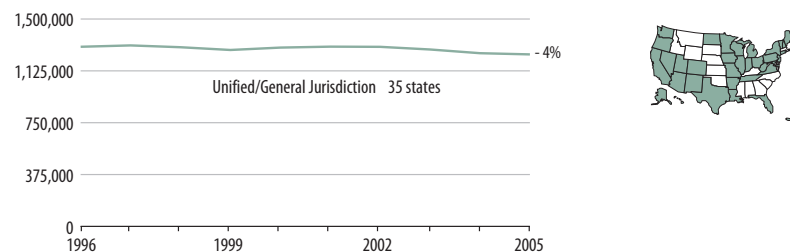
Domestic Relations Caseload Trends, 1996-2005

The overall domestic relations trend appears relatively flat. This effect is produced by a slight decrease in the most common domestic relations case type—divorce—in combination with notable growth in the less common case types of custody, support, adoption, and protection order cases over the ten-year period.

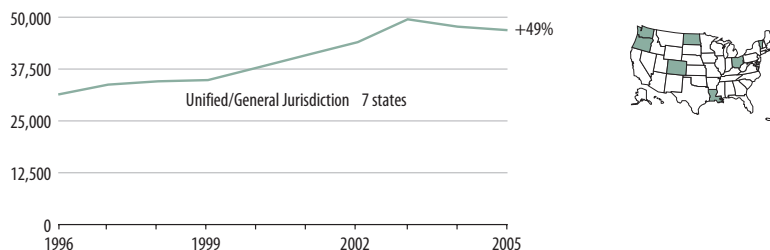
Total Incoming Domestic Relations Caseloads



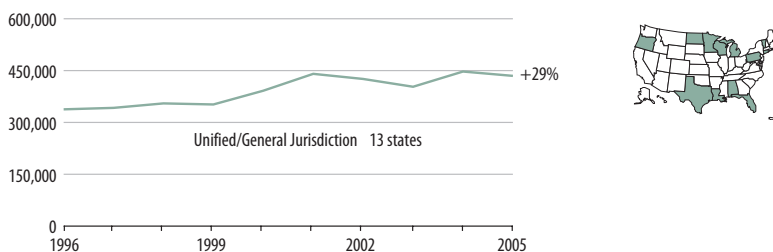
Divorce



Custody

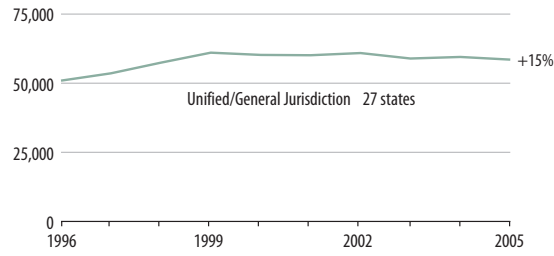


Support

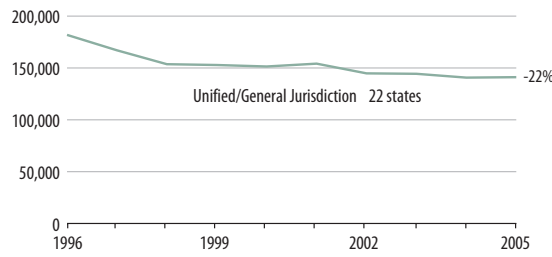




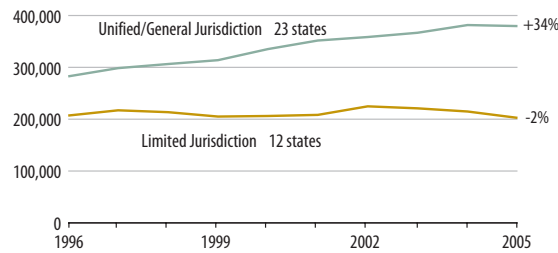
Adoption



Paternity



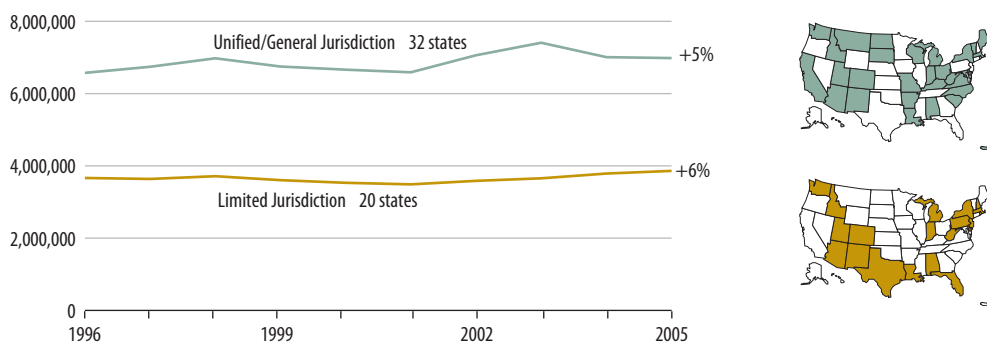
Protection/Restraining Orders



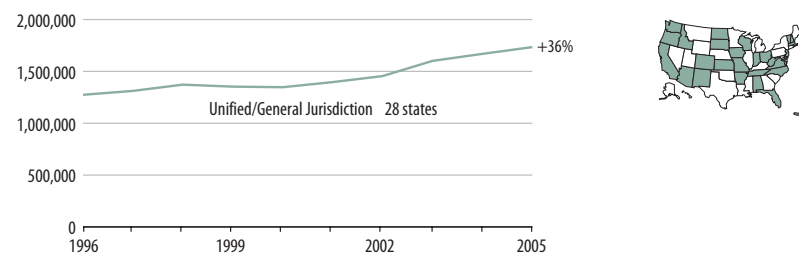
Criminal Caseload Trends, 1996-2005

The increase in felony caseloads appears correlated with the continuing sharp rise in arrests of adults for drug crimes (e.g., use, sale, possession, manufacture of illegal drugs); trends for serious and violent crimes have been flat or slightly declining in recent years.

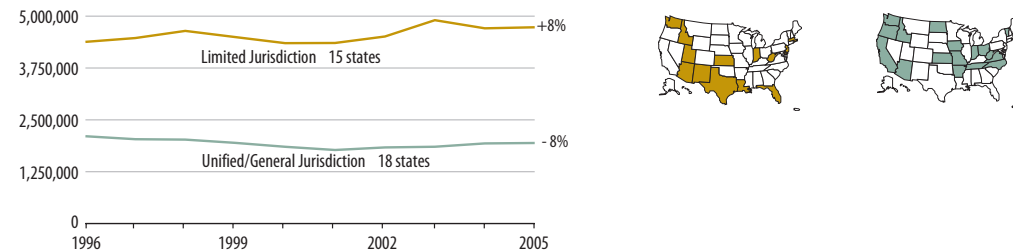
Total Incoming Criminal Caseloads



Felony



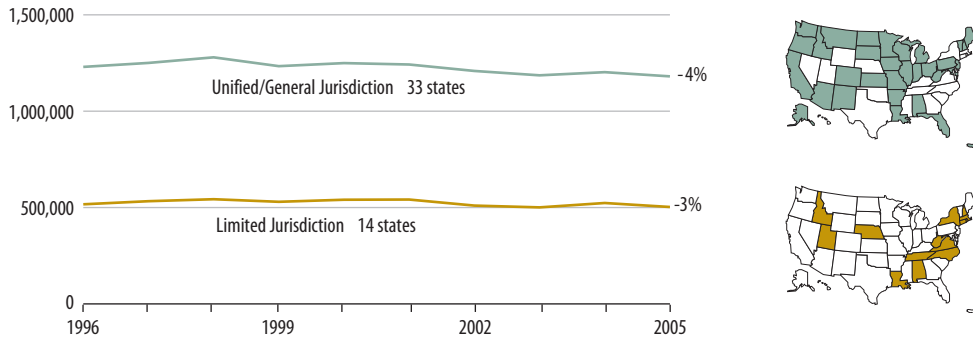
Misdemeanor



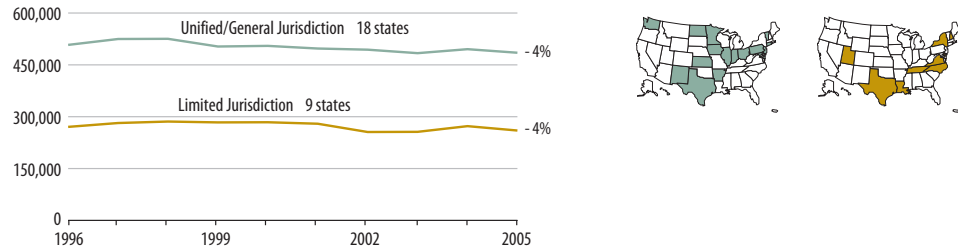
Juvenile Caseload Trends, 1996-2005

Two of the larger jurisdictions included in the juvenile dependency trend, Florida and Ohio, both reported substantial increases in their caseloads at various times during this ten-year period. However, whereas Ohio's caseload increased and stabilized, producing an overall increase of 11 percent there, the dependency caseload in Florida rose throughout the decade, resulting in a 78 percent increase in that state.

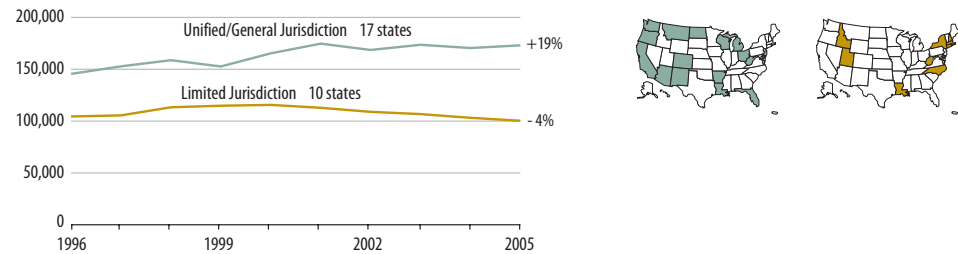
Total Incoming Juvenile Caseloads



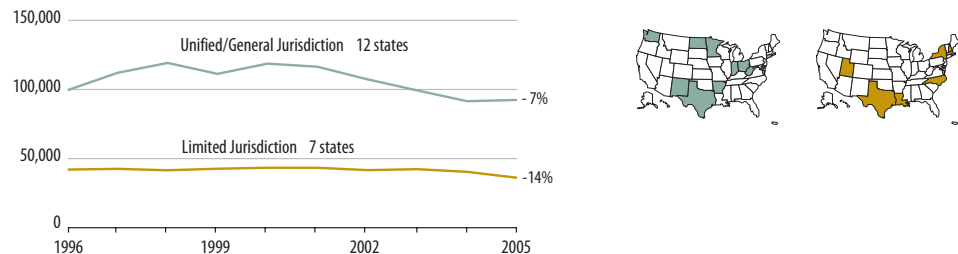
Delinquency



Dependency



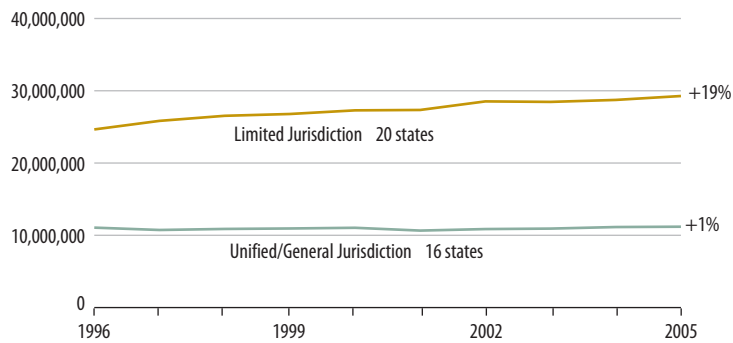
Status Offense



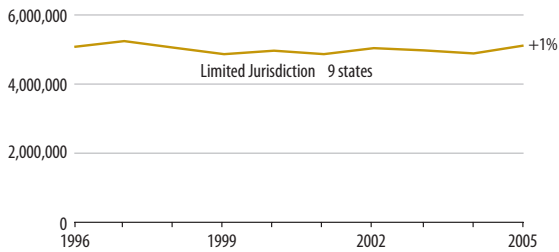
Traffic/Violations Caseload Trends, 1996-2005

Non-criminal traffic violations make up the largest proportion of the traffic/violations caseload. In most states, non-criminal traffic violation cases are heard in limited jurisdiction courts, and the steady upward trend in these cases is illustrated here.

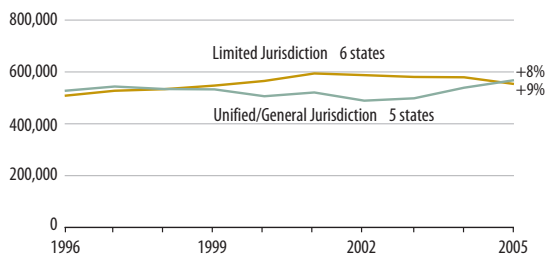
Total Incoming Traffic/Violations Caseloads



Parking Violations



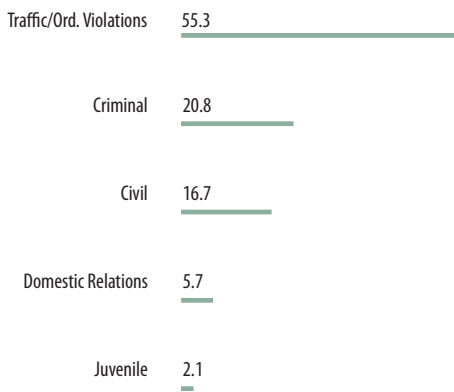
Ordinance Violations



Overview

Aggregate incoming state trial court case-loads—the sum of newly filed, reopened, and reactivated cases—edged up slightly in 2005, exceeding 100 million cases for only the second time in the last ten years. The majority (55 percent) of these cases were non-criminal traffic and ordinance violations cases that, taken individually, have little impact on the workload of state courts. However, with numbers of this magnitude, the drain on state court resources should not be underestimated. The much more resource-intensive case categories of criminal, civil, domestic relations, and juvenile, although fewer in number than traffic, still represent a considerable caseload at a combined 45.3 million cases.

Incoming Caseload Composition in State Courts, 2005 (in millions of cases)



Further disaggregating the national trial court caseload reveals that limited jurisdiction courts handle twice as many cases as do unified and general jurisdiction courts combined. When examining just the four non-traffic caseloads, the table below shows that limited jurisdiction courts processed nearly 26 million cases versus about 20 million in the unified and general jurisdiction courts, where only domestic relations and juvenile cases are more prevalent.

Unified courts are courts of general jurisdiction but differ structurally from the general jurisdiction courts in two-tiered systems. Court cases in states with structurally unified court systems, such as those in Minnesota and Illinois, will all be filed in the same court regardless of monetary value or criminal severity. Inherent in states with two-tiered systems is a certain amount of filing redundancy. For example, a felony case may be filed in a state's limited jurisdiction (e.g., municipal) court for a preliminary hearing. If a judicial officer decides that the state will pursue the charges against an individual, the case is typically "bound over" to the court of general jurisdiction and filed again. This one case may therefore legitimately result in two criminal filings for a state.

Total Incoming Cases in State Courts, by Jurisdiction, 2005 (in millions)

Case Type	Jurisdiction				Total
	Unified	General Jurisdiction	Unified & General	Limited Jurisdiction	
Traffic/Violations	12.3	1.7	14.0	41.3	55.3
Criminal	3.4	3.2	6.6	14.2	20.8
Civil	2.9	4.5	7.5	9.2	16.7
Domestic Relations	1.0	3.1	4.1	1.6	5.7
Juvenile	0.4	1.0	1.4	0.8	2.1
All Cases	19.9	13.6	33.5	67.1	100.6

Note: Totals may not sum due to rounding.

Full-time Judges in Unified and General Jurisdiction Courts, 2005

State	Number of Full-time Judges			Incoming Non-Traffic Cases per Judge	Population Rank
	Total	Added Since 2004	Per 100,000 Population		
Unified Courts					
Illinois	868	+18	6.8	1,482	5
Minnesota	281	+5	5.5	1,967	21
Puerto Rico	324	+4	8.3	744	27
Iowa	195	+3	6.6	1,532	31
District of Columbia	59	–	10.7	2,184	51
North Dakota	42	–	6.6	2,326	49
Kansas	161	–	5.9	1,800	34
Missouri	324	–	5.6	1,923	18
Connecticut	180	–	5.1	2,184	30
South Dakota	38	–	4.9	2,735	47
Wisconsin	241	–	4.4	2,033	20
California	1,498	–	4.1	2,111	1
Median			5.7	2,000	
General Jurisdiction Courts					
Washington	195	+16	3.1	1,539	14
New Mexico	84	+9	4.4	1,390	37
Ohio	387	+7	3.4	2,049	7
North Carolina ¹	109	+3	1.3	3,147	11
New Hampshire	29	+2	2.2	1,822	42
Montana	49	+1	5.2	793	45
Louisiana	231	+1	5.1	1,590	24
Indiana	296	+1	4.7	2,598	15
Utah ²	71	+1	2.9	2,388	35
Michigan	217	+1	2.1	1,542	8
Virginia ²	156	+1	2.1	1,783	12
Texas	425	+1	1.9	2,186	2
New Jersey	407	-1	4.7	3,027	10
Arizona	164	-2	2.8	1,653	17
Vermont	32	–	5.1	1,767	50
Alaska	34	–	5.1	587	48
Oregon	170	–	4.7	2,012	28
Arkansas	115	–	4.1	1,943	33
Maine	49	–	3.7	2,625	41
West Virginia	65	–	3.6	747	38
Hawaii	45	–	3.5	962	43
Pennsylvania	421	–	3.4	1,610	6
Nebraska ²	55	–	3.1	783	39
Alabama	142	–	3.1	1,464	23
Kentucky	130	–	3.1	1,250	26
Florida	527	–	3.0	2,762	4
Colorado	132	–	2.8	1,399	22
Idaho	39	–	2.7	529	40
New York ²	524	–	2.7	910	3
Maryland	146	–	2.6	1,906	19
Tennessee ²	154	–	2.6	1,924	16
Nevada	60	–	2.5	2,143	36
Delaware ¹	19	–	2.3	1,267	46
Georgia ²	193	–	2.1	2,107	9
Rhode Island ¹	22	–	2.0	682	44
Massachusetts ¹	82	–	1.3	357	13
South Carolina ¹	46	–	1.1	4,180	25
Median			3.0	1,653	

¹ These states do not have domestic relations or juvenile jurisdiction in their general jurisdiction courts.² These states do not have domestic relations jurisdiction in their general jurisdiction courts.

Notes: a) Oklahoma, Mississippi, and Wyoming did not provide data for 2005; b) "–" = no change; c) Data from Pennsylvania are preliminary figures provided by the PA AOC.



The affects of structural differences between unified courts and other general jurisdiction courts are further demonstrated on the adjacent table. In addition to the number of full-time judgeships and the change from the prior year, population-adjusted rates and the number of non-traffic cases per judge are also displayed. The median rate of judges per 100,000 state residents in unified courts is nearly twice that of general jurisdiction courts. This is expected, as judges in unified courts must hear their state’s entire caseload rather than just the cases designated to be heard in the general jurisdiction court.

The number of full-time judges in most states remained unchanged from 2004. Sixteen states reported an increase in the number of judges for 2005 and two reported a decrease. Illinois and Washington reported the most new positions with 18 and 16, respectively.

Overall, the total number of judges in all state courts (including limited jurisdiction courts) has increased by 1,135, or an average increase of about 125 judges per year, since 1996. The chart below shows a

decrease of 187 limited jurisdiction judges between 1996 and 2005, but that figure is somewhat misleading. Most of that decrease resulted from the reassignment of judges in California’s limited jurisdiction Municipal Courts to their general jurisdiction Superior Courts upon the completion of court unification. Since that time, limited jurisdiction judgeships have increased by 209 (just over 1 percent) and general jurisdiction judgeships have increased by 318 (about 3 percent).

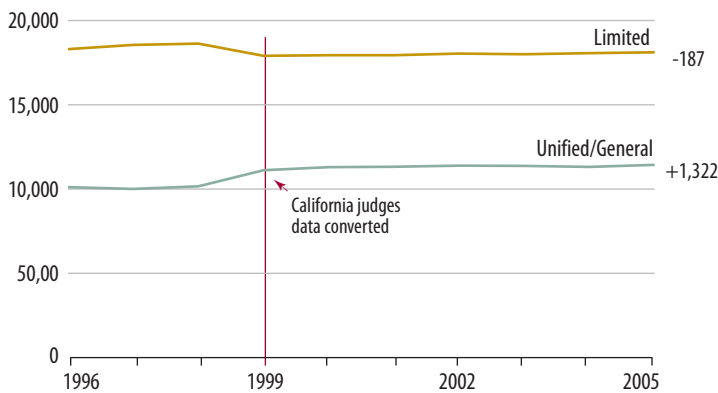
In 2003, the *State Court Guide to Statistical Reporting* recommended that states begin to count and report cases that were either reopened subsequent to an entry of judgment or reactivated after being placed in an inactive status. An event such as a motion for a modification of a judgment would typically trigger a civil case reopening. A criminal case should be placed in an inactive status, for example, if a defendant absconds and a bench warrant is issued. When the defendant is apprehended, the case can be reactivated and continue toward an entry of judgment.

CSP Resource

CSP
Court Statistics Project

National Center for State Courts
State Court Structure Charts

Judicial Officers in State Trial Courts, by Jurisdiction, 1996-2005



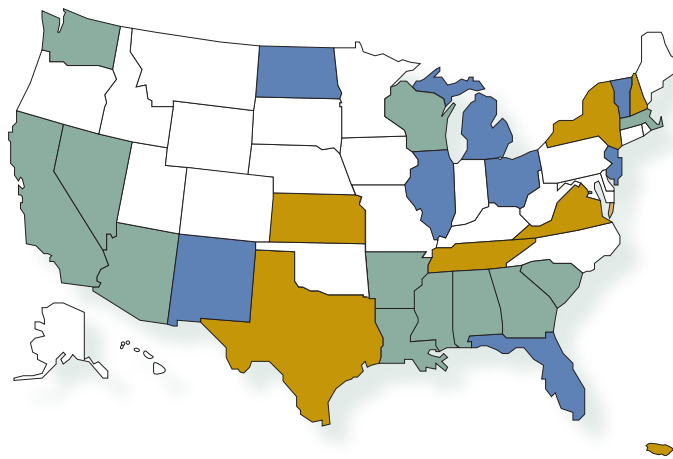
In 2005, 28 states reported reopened and/or reactivated caseloads in at least one major case category and eight of those states plus the District of Columbia reported in all five major categories.

When a court's incoming caseload exceeds its outgoing caseload, the remaining undecided cases become its pending caseload. Cases that are pending beyond an accepted time standard are backlogged. These two terms are not synonymous, as a backlogged case is always pending but a pending case is not necessarily backlogged. The *Guide* makes no provision for reporting backlogged cases at the

national level as time standards can vary from state to state. The differences in standards would render many states' figures incomparable to one another.

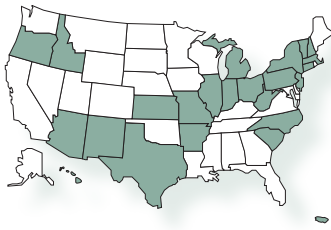
The shaded areas on the adjacent maps show the states whose general jurisdiction courts reported a pending caseload for each of the five major categories of trial court cases. It is important to note that not all states' general jurisdiction courts have jurisdiction over all five case categories (denoted by the gray shading). For example, many states only hear traffic cases in their courts of limited jurisdiction.

States That Reported Reopened/Reactivated Caseloads in One or More Case Categories, 2005

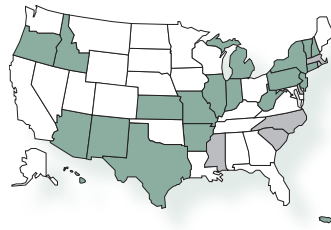


- Reported 1 or 2 categories
- Reported 3 or 4 categories
- Reported all 5 categories

Civil



Domestic Relations

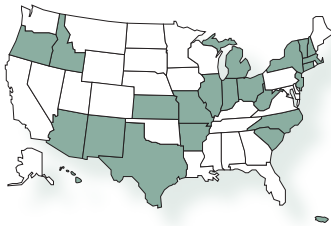


■ No Domestic Relations Jurisdiction

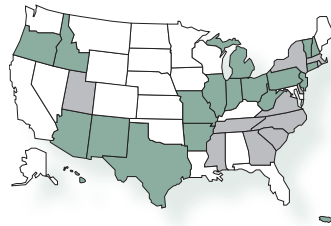


- Civil
- Domestic Relations
- Criminal
- Juvenile
- Traffic

Criminal

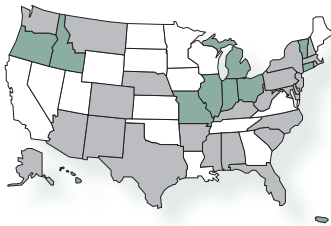


Juvenile



■ No Juvenile Jurisdiction

Traffic

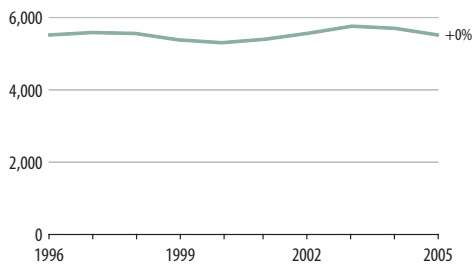


■ No Traffic Jurisdiction

Civil Caseloads

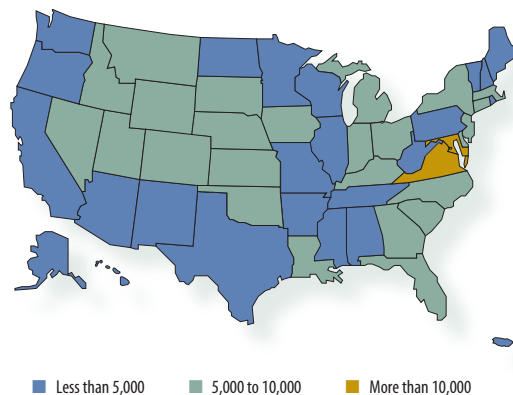
Over 16.6 million civil cases entered the state court system in 2005. This was by no means a record and in fact represented nearly 500,000 fewer incoming cases than in 2003 and the second consecutive year of decline. Adjusting for population, the resulting aggregate rate of just over 5,500 cases for every 100,000 residents of the United States is virtually identical to the rate in 1996.

Incoming Civil Cases per 100,000 Population, 1996-2005



The map below and the table on the following page show the per capita incoming civil caseload for each state relative to the median rate of 5,000 per 100,000 state residents. The lighter shaded states on the map had rates below the median and the darker shaded states were above the median. Only two states—Maryland and Virginia—and the District of Columbia reported rates above 10,000. Maryland's rate was by far the highest at over 17,000 incoming civil cases per 100,000 state residents. Civil case counting techniques in Maryland and Virginia are inconsistent with the recommendations outlined in the *State Court Guide to Statistical Reporting* explaining, at least in part, the high rates in those two states. The rate in the District of Columbia is likely affected by its relatively small resident population combined with a very large number of commuters who work—and file civil lawsuits—in the District but reside elsewhere.

Per Capita Incoming Civil Case Rates, 2005



Note: Oklahoma's rate is based on 1997 data.
Wyoming's rate is based on 2004 data.

BJS Resource

BJS

Bureau of Justice Statistics
Civil Justice Statistics



Incoming Civil Caseloads and Rates, 2005

State	Incoming Civil Caseload			Proportion of Civil Caseload	
	Per 100,000 Population	General Jurisdiction	Limited Jurisdiction	General	Limited
Maryland	17,249	72,298	893,700	7%	93%
District of Columbia	13,573	74,721		100	0
Virginia	12,662	69,290	888,940	7	93
New Jersey	9,224	796,820	7,332	99	1
Georgia	9,148	85,357	744,627	10	90
New York	8,490	339,892	1,294,798	21	79
Ohio	7,556	261,786	604,399	30	70
Indiana	7,531	372,913	99,428	79	21
Michigan	7,219	68,046	662,621	9	91
Delaware	7,004	15,099	43,979	26	74
Kansas	6,793	186,456		100	0
South Dakota	6,709	52,060		100	0
Connecticut*	6,542	142,326	87,319	62	38
Louisiana	6,542	149,029	146,885	50	50
Nevada	6,470	34,286	121,949	22	78
Colorado	6,272	73,300	219,320	25	75
North Carolina	6,138	198,731	334,275	37	63
Montana	5,993	18,189	37,888	32	68
Idaho	5,567	7,310	72,241	9	91
Massachusetts	5,422	24,127	322,793	7	93
Florida	5,362	419,232	534,652	44	56
Kentucky	5,297	54,259	166,825	25	75
Nebraska	5,175	6,911	84,106	8	92
Iowa	5,085	150,852		100	0
Utah	5,076	106,151	19,215	85	15
South Carolina	5,028	75,109	138,837	35	65
Rhode Island	4,938	9,215	43,930	17	83
Arizona	4,801	78,675	206,462	28	72
Oregon	4,728	172,162	—	100	—
Arkansas	4,685	49,359	80,846	38	62
Wisconsin	4,594	254,327		100	0
Washington	4,556	140,049	146,439	49	51
Missouri	4,400	255,198		100	0
Illinois	4,386	559,751		100	0
North Dakota	4,374	27,849		100	0
New Mexico	4,329	47,485	35,986	57	43
Alabama	4,253	48,288	145,555	25	75
West Virginia	4,218	31,457	45,178	41	59
New Hampshire	4,093	10,461	43,161	20	80
Alaska	3,920	6,292	19,721	24	76
Vermont	3,520	16,999	4,931	78	22
Texas	3,396	248,036	528,333	32	68
Pennsylvania**	3,294	66,122	343,279	16	84
Puerto Rico	2,836	110,958		100	0
Mississippi	2,749	27,102	53,206	34	66
Maine	2,704	35,739	—	100	—
California	2,701	975,828		100	0
Minnesota	2,603	133,585		100	0
Hawaii	2,003	8,813	16,734	34	66
Tennessee	1,275	76,028	—	100	—

Notes: **Boldface** indicates unified court systems. Blank cells indicate no limited jurisdiction court or no civil jurisdiction. Oklahoma and Wyoming did not report civil data for 2005. "—" = data not available.

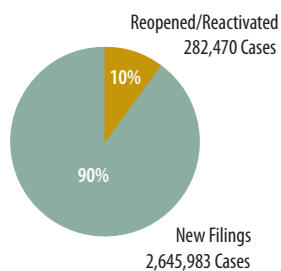
* Connecticut, though classified as a unified court system, has a probate court with limited civil jurisdiction.

** Data from Pennsylvania are preliminary figures provided by the PA AOC.

Whether accurately identified and reported or not, a portion of each state's incoming civil caseload is comprised of reopened cases and reactivated cases. Civil cases are reopened when a post-dispositional event requiring judicial involvement is held, such as a motion to modify a judgment. Cases that have previously been placed in an inactive status prior to disposition (e.g., so that a bankruptcy court could make a ruling) are typically reactivated once a case is able to proceed toward a disposition. The *Guide* recommends that cases reopened or reactivated be counted and given a stature equal to new filings. Fourteen states reported reopened and/or reactivated civil caseloads in addition to new filings for 2005.

The proportion of reopened/reactivated cases to all incoming cases in these 14 states ranged from 1 percent in DC to 35 percent in Florida. Florida's comparatively high rate is inflated by the inclusion of cases that are disposed but scheduled for periodic review, as opposed to reopened for unanticipated judicial review or consideration. Civil cases subject to periodic review may include guardianships and other probate matters wherein the court is entrusted to ensure that the rights of individuals are being properly upheld.

Reopened/Reactivated Civil Caseloads in General Jurisdiction Courts in 14 States, 2005



Reopened/Reactivated Civil Caseloads in General Jurisdiction Courts in 14 States, 2005

State	Total Cases	Percent Reopened/Reactivated
Florida	419,232	35%
New Mexico	47,485	23
Tennessee	76,028	21
North Dakota*	27,849	15
Texas	248,036	9
Ohio	261,786	8
Nevada	34,286	6
Michigan	68,046	6
Illinois*	559,751	5
Puerto Rico*	110,958	4
Vermont	16,999	3
New Jersey	796,820	3
Kansas*	186,456	1
District of Columbia*	74,721	1

*These states have unified court systems.

Tip

Guide

Cases that are *scheduled* to return to the court's docket subsequent to an entry of judgment are to be captured in a new status category called "set for review" in Version 2.0 (forthcoming 2007) of the *Guide*.

Courtools



National Center for State Courts

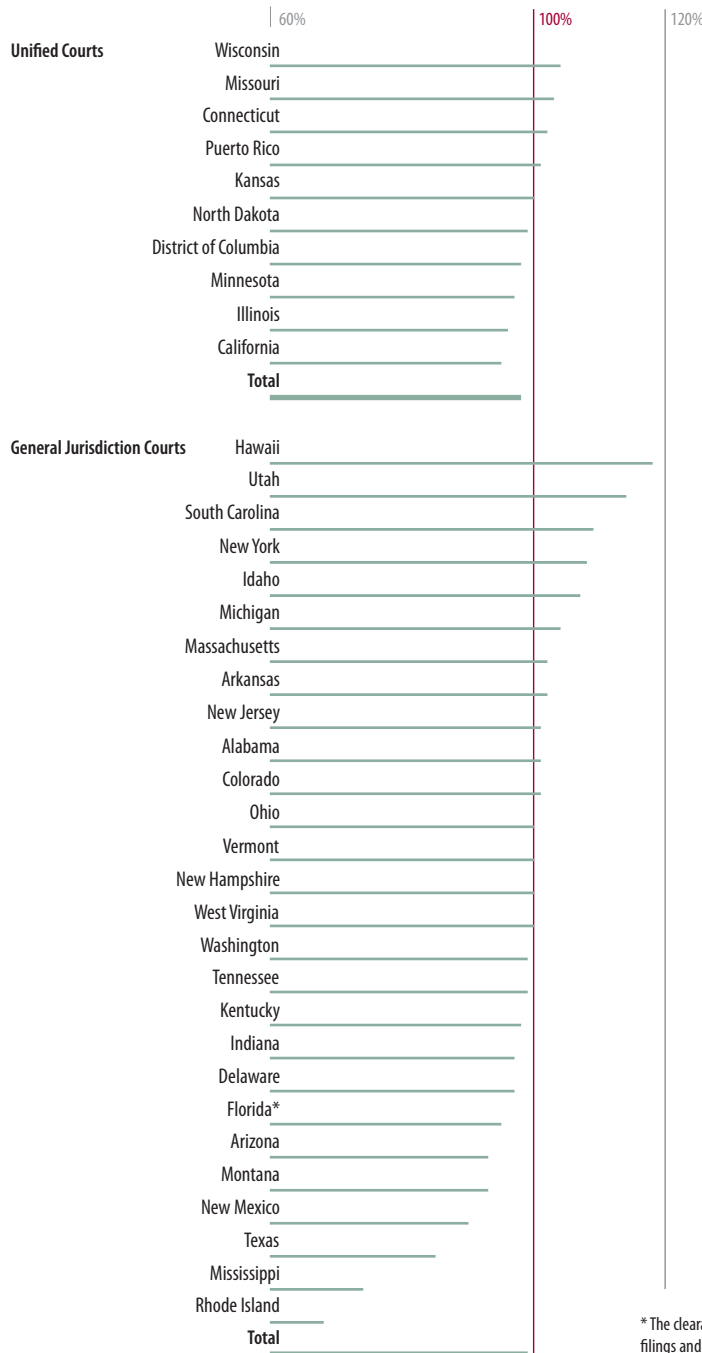
Measure 2:
Clearance Rates



A clearance rate is calculated by dividing the number of outgoing cases by the number of incoming cases and expressing the result as a percentage. If a state is unable to dispose of as many cases as are incoming, their clearance rate will be below 100 percent, their pending caseload is likely to grow, and an increase in their backlog may also result.

Twenty of the 37 states shown on the chart below reported clearance rates at or above 100 percent and both Hawaii and Utah had rates above 110 percent. Hawaii's high clearance rate is attributable to a purge of long-inactive cases. This activity is necessary from time to time but may make their 2005 clearance rate appear artificially high.

Civil Clearance Rates in Unified and General Jurisdiction Courts in 37 States, 2005



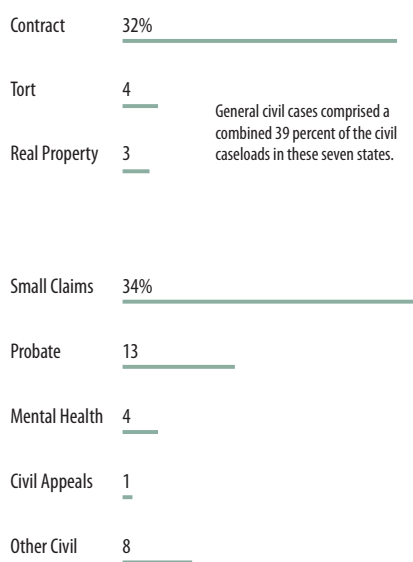
* The clearance rate in Florida is based on new filings and entries of judgments only.

One-third of civil cases entering unified court systems in 2005 were small claims cases, i.e., tort, contract, and real property cases, with dispute values below the maximum statutorily-defined dollar amount limit for small claims cases in each state. General civil cases (tort, contract, and real property cases with values above the general jurisdiction threshold) represented an aggregate

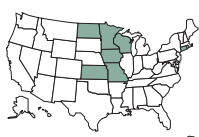
39 percent of the civil caseloads in these states—and more than 4 of every 5 of those cases were contractual in nature.

Eight unified courts and 14 general jurisdiction courts provided sufficient data with which to determine a general civil caseload composition. Variations in the proportions of the three case types comprising general

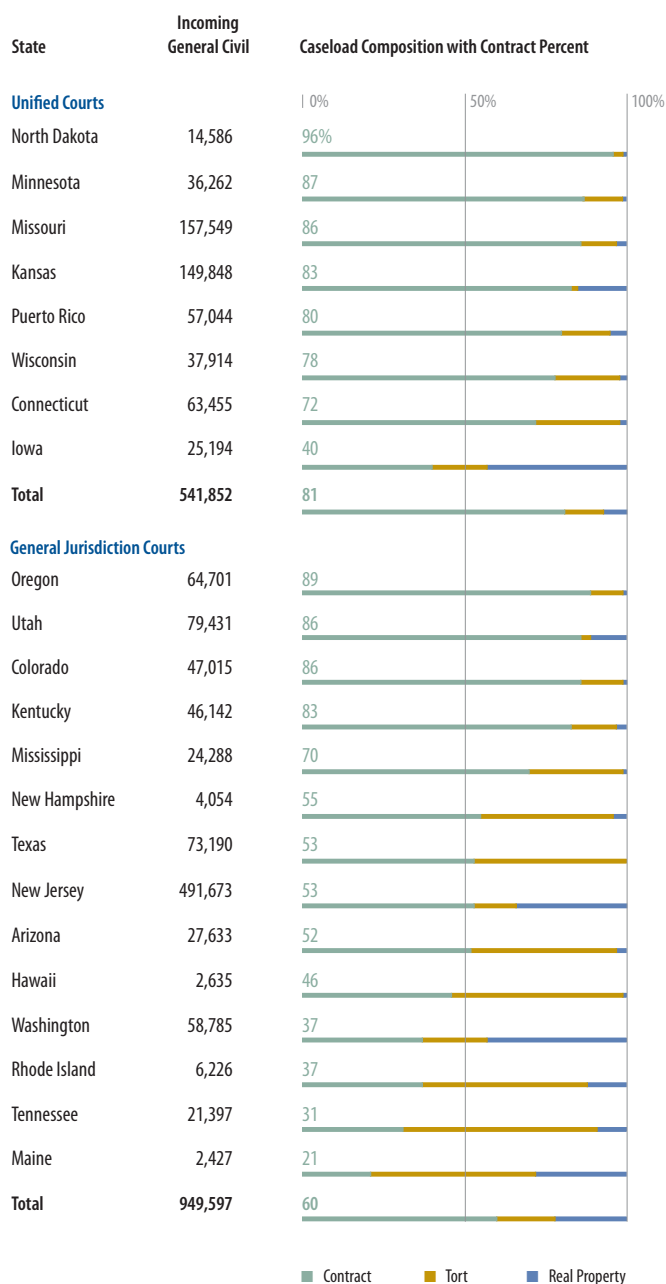
Incoming Civil Caseload Composition in 7 Unified Courts, 2005



General civil cases comprised a combined 39 percent of the civil caseloads in these seven states.



General Civil Caseload Composition in 22 Unified and General Jurisdiction Courts, 2005



■ Contract ■ Tort ■ Real Property


civil can be the product of court structure, geographic location, or jurisdictional dollar amount limits. Nonetheless, contract cases typically comprise the largest share of general civil caseloads as only six of these 22 states reported contract case proportions below 50 percent.

Torts—civil cases that allege negligence causing physical harm or property dam-

age—are an integral part of the perennial discussion of civil law. Many of the cases that average citizens are involved in (automobile), or have heard of (the legendary spilled cup of hot coffee leading to a massive jury award), are torts.

Automobile cases clearly dominate the tort landscape, representing more than half of the torts processed in state courts. In

Incoming Tort Cases and Rates in 32 States, 2005



State	Incoming Torts	Per 100,000 Population	Percent of Civil Cases
Unified Courts			
Connecticut	16,532	471	12%
Missouri	17,523	302	7
Puerto Rico	8,469	216	8
Iowa	4,206	142	3
Wisconsin	7,402	134	3
Kansas	3,453	126	2
Minnesota	4,599	90	3
North Dakota	477	75	2
General Jurisdiction Courts			
New Jersey	62,567	718	8
New York	69,007	358	20
Nevada	7,261	301	21
Rhode Island	3,169	294	34
Ohio	31,462	274	12
Mississippi	7,112	243	26
Florida	42,498	239	10
Tennessee	12,744	214	17
New Mexico	4,088	212	9
Arizona	12,521	211	16
Arkansas	5,574	201	11
Washington	11,841	188	8
Indiana	11,798	188	3
Michigan	17,818	176	26
Alaska	1,098	165	17
Kentucky	6,338	152	12
Texas	34,279	150	14
Colorado	5,993	128	8
New Hampshire	1,670	127	16
Massachusetts	7,911	124	33
Hawaii	1,393	109	16
Utah	2,530	102	2
Maine	1,227	93	32
Idaho	1,051	74	14

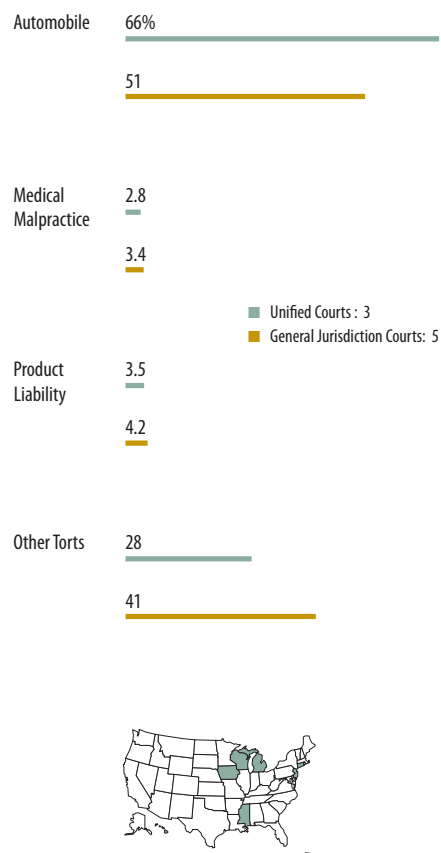
contrast, the higher profile torts, such as medical malpractice and product liability cases, together comprise just 6 to 7 percent of tort caseloads. The cases captured in the "other" category here include legal malpractice, premises liability (slip and fill) cases, intentional torts (e.g., assault and battery), and slander, libel, and defamation cases.

Since automobile torts tend to influence tort caseloads, it is not surprising that the states with the three highest per capita tort

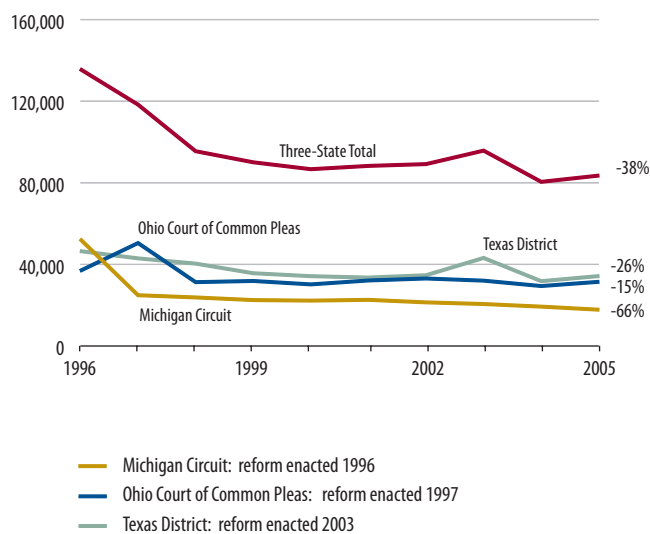
rates, Connecticut, New Jersey, and New York, are the same three states with the highest per capita automobile tort rates (not shown on a table).

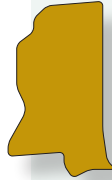
As depicted on page 13 in the Trends section of this report, tort caseloads have fallen steadily over the last 10 years in the 30 states with available data. Whether this can be attributable to tort reforms enacted in many states is difficult to say. The chart below shows incoming caseloads in three large states that enacted reforms since 1996 – Ohio, Michigan, and Texas. Each state's tort caseload has dropped considerably, but Michigan's change of -66 percent is due in large part to the fact that the baseline year, 1996, was the year preceding the enactment of its most recent reform. Filings of tort cases are often accelerated in anticipation of reforms. Despite overall declines, Ohio and Texas each reported increases of about 8 percent in their tort caseloads between 2004 and 2005.

Incoming Tort Caseload Composition in 8 Unified and General Jurisdiction Courts, 2005



Incoming Tort Caseloads in Three General Jurisdiction Courts, 1996-2005



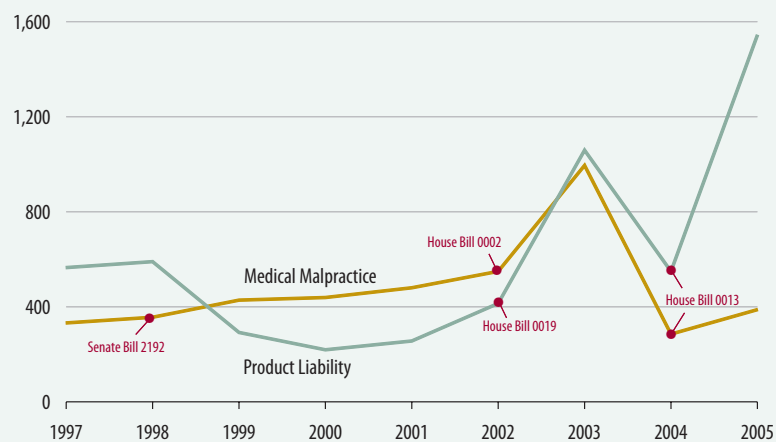


Mississippi Malpractice and Product Liability Cases

Although the long-term effects of tort reforms are not fully known at this time, in the short term they clearly influence filing rates in the states that have enacted them. The following chart shows Mississippi's incoming medical malpractice and product liability caseloads between 1997 and 2005. During this period, Mississippi introduced medical malpractice reforms in 1998, 2002, and 2004. Among the reforms were: cases must be filed within two years of act or reasonable discovery; cases must be brought in the county in which the alleged act occurred; joint and several liability; limits to non-economic damages.

Reforms affecting product liability cases were likewise enacted in 2002 and 2004. Product liability reforms included: cases may be filed in the county where the product was obtained; joint and several liability; caps on punitive damages; no recovery for loss of enjoyment of life; penalties for frivolous suits; seller of product is not liable unless contributed to the design, testing, or manufacture of product. Additionally, state Supreme Court rulings in mid-2004 resulted in the reversal of an earlier trial court ruling that permitted plaintiff joinders in several large product liability cases. The impact on product liability filings was profound, as scores of individuals who once banded together to file their suits instead filed their cases individually.

Incoming Medical Malpractice and Product Liability Cases in Mississippi Circuit Court, 1997-2005



Medical malpractice, legal malpractice, and other malpractice cases together comprise the total malpractice caseloads in state courts. The types of cases contained in the "other" malpractice category may include, for example, suits against architects for negligent design of a structure. Six unified and general jurisdiction courts reported their complete malpractice caseload for 2005. The overwhelming majority (83 percent) of those cases were filed against medical practitioners while 12 percent were against lawyers and others in the legal services industry.

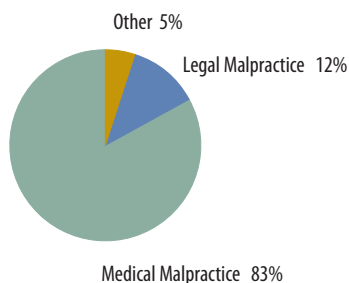
Medical malpractice cases, despite their importance and notoriety, apparently never account for more than 2 percent of civil caseloads and only rarely account for more than 6 percent of tort caseloads. The table below shows the medical malpractice caseloads in 13 states. Per capita rates averaged about 10 cases per 100,000 state residents, but seven of the 13 states reported rates above that average, and New York's rate of 22 was 6 points higher than the next highest rate of 16 reported from New Jersey.

BJS Resource

BJS

Bureau of Justice Statistics
 Medical Malpractice Insurance Claims
 in Seven States, 2000-2004

Composition of Malpractice Caseloads in 6 Unified and General Jurisdiction Courts, 2005



Incoming Medical Malpractice Caseloads in 13 Unified and General Jurisdiction Courts, 2005


State	Total	Tort Cases	Civil Cases	Per 100,000 Population
Unified Courts				
Puerto Rico	512	6.0%	0.5%	13
Connecticut	302	1.8	0.2	9
Iowa	238	5.7	0.2	8
Wisconsin	240	3.2	0.1	4
General Jurisdiction Courts				
New York	4,270	6.2	1.3	22
New Jersey	1,380	2.2	0.2	16
Mississippi	388	5.5	1.4	13
Michigan	1,266	7.1	1.9	12
Tennessee	716	5.6	0.9	12
Arizona	632	5.0	0.8	11
New Hampshire	101	6.0	1.0	8
Rhode Island	78	2.5	0.8	7
Hawaii	46	3.3	0.5	4



The table below displays contract caseloads in 28 unified and general jurisdiction courts. The median proportion of civil cases and per capita rates of contract cases are clearly

higher among unified court systems, but this is likely due to the differences in court structure and jurisdictional limits.

Incoming Contract Caseloads in 28 Unified and General Jurisdiction Courts, 2005



State	Total	Percent of Civil Caseload	Per 100,000 Population
Unified Courts			
District of Columbia	45,445	61%	8,255
Kansas	124,648	67	4,541
Missouri	135,581	55	2,337
North Dakota	13,973	50	2,195
Connecticut	45,706	32	1,302
Puerto Rico	45,602	41	1,166
Minnesota	31,464	24	613
Wisconsin	29,415	12	531
Iowa	10,117	4	341
Median		41	1,302
General Jurisdiction Courts			
New Jersey	258,423	32	2,964
Utah	68,114	64	2,758
New Mexico	20,441	43	1,060
Kentucky	38,472	72	922
Colorado	40,306	56	864
Ohio	74,472	28	650
Mississippi	16,973	63	581
Maine	4,831	14	366
Washington	21,814	16	347
Delaware	2,477	23	294
Arizona	14,371	19	242
Rhode Island	2,286	25	212
New Hampshire	2,229	21	170
Texas	38,725	16	169
Michigan	12,237	18	121
Tennessee	6,707	9	112
Hawaii	1,220	14	96
New York	15,549	5	81
Alaska	381	6	57
Median		21	294

As stated previously, small claims cases are the single most prevalent category of civil cases, typically comprising about one-third of civil caseloads. However, their numbers and rates are equally subject to the structure and limits imposed by the states in which they are filed. The table below

shows the dollar amount limits, totals, and per capita rates of incoming small claims cases in the 36 states able to provide that information for 2005. In these 36 states, the limits range from a low of \$1,500 to a high of \$10,000. However, among all states, the range is \$1,500 to \$25,000.

NCS Resource



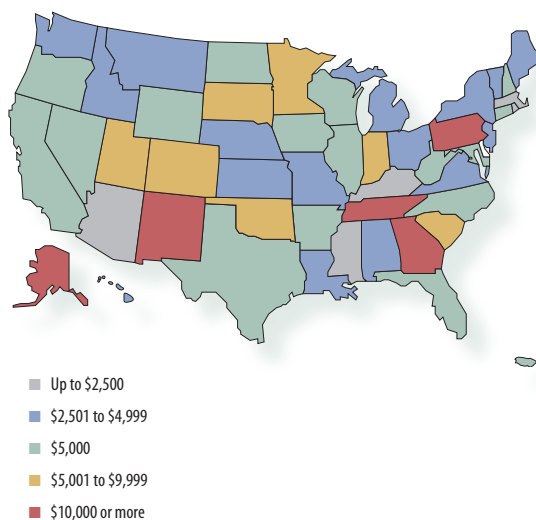
National Center for State Courts
Small Claims Resource Guide

Incoming Small Claims Caseloads in 36 States, 2005

State	Maximum Claim Limit	Total Cases	Per 100,000 Population
Indiana	\$6,000	297,152	4,738
Iowa	5,000	94,035	3,170
North Carolina	5,000	274,449	3,161
Wisconsin	5,000	166,504	3,008
South Carolina	7,500	118,540	2,786
District of Columbia	5,000	14,626	2,657
West Virginia	5,000	44,936	2,473
Alabama	3,000	98,900	2,170
Connecticut	5,000	72,249	2,058
Oregon	5,000	73,030	2,006
Massachusetts	2,000	123,476	1,930
New Mexico	10,000	35,813	1,857
Alaska	10,000	10,339	1,558
Rhode Island	2,500	16,642	1,546
Utah	7,500	34,953	1,415
Idaho	4,000	20,028	1,401
Florida	5,000	235,602	1,324
New Hampshire	5,000	17,342	1,324
Vermont	3,500	7,361	1,181
Minnesota	7,500	52,934	1,031
Illinois	5,000	123,590	968
Michigan	3,000	91,108	900
North Dakota	5,000	5,468	859
Ohio	3,000	85,700	748
Arkansas	5,000	20,069	722
Maine	4,500	9,458	716
California	5,000	255,630	707
New Jersey	3,000	57,066	655
Arizona	2,500	27,117	457
Washington	4,000	28,020	446
Kentucky	1,500	17,633	432
Nebraska	2,700	7,339	417
Kansas	4,000	10,171	371
Colorado	7,500	13,588	291
Missouri	3,000	16,057	277
Hawaii	3,500	3,237	254
Median	\$5,000	1,253	

Note: States in **boldface** have unified court systems.

Small Claim Limits in State Courts, 2005



Among the new case types introduced and recommended for collection by the *Guide* was non-domestic relations restraining order cases. This category, separate from domestic relations restraining orders (a domestic relations case type) and violations of restraining orders (a criminal case type), provides a place to capture orders that do not stem from a known domestic relationship. In some states, these cases are referred to as “stalking” or “harassment” cases.

Eleven states were able to report their non-domestic relations restraining order

caseloads for 2005. Although these cases typically account for about 3 percent of civil caseloads, two states, Arizona and Minnesota, reported three and two times that rate, respectively. Paradoxically, Maryland’s number and per capita rate were both second highest, but its non-domestic relations restraining order proportion of total civil cases was the lowest in the 11 states shown here. This may be explained in part by the unusually high per capita rate of civil cases that Maryland reports.

Incoming Non-Domestic Relations Restraining Order Cases in 11 States, 2005

State	Total	Per 100,000 Adults	Percent Civil Caseload
Arizona	27,226	625	9.6%
Minnesota*	10,071	266	7.5
Washington	12,592	270	4.4
New Hampshire	1,641	167	3.8
Missouri*	9,375	217	3.7
North Dakota*	794	166	2.9
Wisconsin*	5,619	136	2.2
Colorado	6,153	177	2.1
Michigan	14,954	200	2.0
Kansas*	3,287	163	1.8
Maryland	15,086	362	1.6
Median		200	2.9

*These states have unified court systems.

Tip

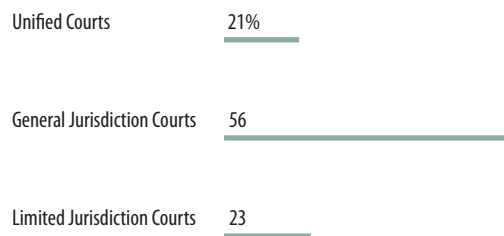
Many courts use terminology for case types that are unique to their state but clearly align with cases outlined in the *Guide*. For instance, Arizona calls these cases “injunctions against harassment,” but they are identical to non-domestic relations restraining order cases and therefore counted in that category by the Court Statistics Project.

Domestic Relations Caseloads

Almost 5.7 million domestic relations cases entered the nation's state courts during 2005, with approximately three-quarters of those cases handled in unified and general jurisdiction courts. Domestic relations caseloads include marriage dissolution, paternity, custody, support, visitation, adoption, and civil protection/restraining order cases.

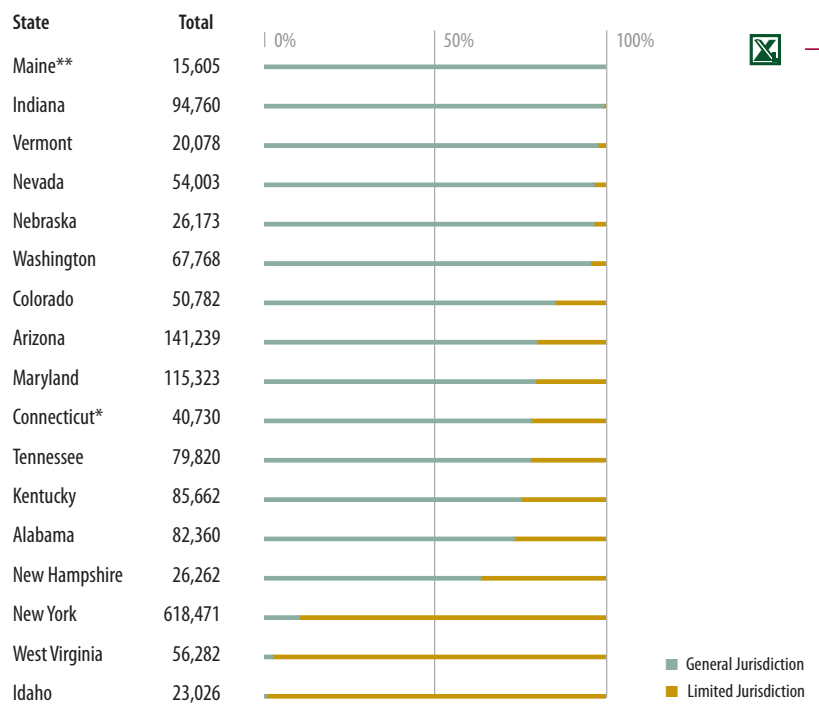
As seen in the table, "Incoming Domestic Relations Caseloads and Rates in 41 States, 2005," on the following page, states vary in the way they structure the handling of domestic relations cases. Twenty-one of these 41 states give their general jurisdiction court exclusive authority to hear domestic relations cases while 17 divide that authority between their general and limited jurisdiction courts. Only three of these states (Massachusetts, North Carolina, and Rhode Island) give exclusive authority over domestic relations cases to one or more of their limited jurisdiction courts.

Percent Incoming Domestic Relations Caseload, by Court Type, 2005



The chart below shows the percentage of the domestic relations caseload heard by the general and limited jurisdiction courts in those 17 states that divide authority over domestic relations matters. While the majority of these states report that their general jurisdiction court handles at least 80 percent of their domestic relations caseload, three states (New York, West Virginia, and Idaho) report their general jurisdiction court as handling 10 percent or less of domestic relations cases.

Incoming Domestic Relations Caseloads in 17 States, by Court Type, 2005



* Connecticut, though classified as a unified court system, has a probate court with limited domestic relations jurisdiction.

** Maine grants domestic relations jurisdiction to its limited jurisdiction court, but data is not available.

NCSC Resource



National Center for State Courts
Family Resource Center



Vermont and New York offer examples of the differing practices in assigning domestic relations caseloads. In Vermont, where the general jurisdiction court hears 98 percent of the domestic relations caseload, the limited jurisdiction Probate Court has authority only over adoption cases. In

contrast, New York's general jurisdiction court (with 10 percent of the domestic relations caseload) has authority over marriage dissolutions only, leaving the limited jurisdiction Family Court with authority over all other domestic relations matters.

Incoming Domestic Relations Caseloads and Rates in 41 States, 2005

State	General Jurisdiction	Limited Jurisdiction	Total	Per 100,000 Population	Population Rank
Vermont	19,641	437	20,078	3,223	50
New York	62,426	556,045	618,471	3,212	3
West Virginia	1,297	54,985	56,282	3,098	38
Pennsylvania**	383,879		383,879	3,088	6
Florida	498,441		498,441	2,802	4
North Dakota*	17,355		17,355	2,726	49
New Jersey	225,162		225,162	2,583	10
Arizona	113,032	28,207	141,239	2,378	17
Nevada	52,236	1,767	54,003	2,236	36
Ohio	251,317		251,317	2,192	7
District of Columbia*	11,824		11,824	2,148	51
Maryland	91,696	23,627	115,323	2,059	19
Kentucky	64,490	21,172	85,662	2,053	26
New Hampshire	16,655	9,607	26,262	2,005	42
Arkansas	54,079		54,079	1,946	33
Massachusetts		123,226	123,226	1,926	13
New Mexico	35,452		35,452	1,838	37
Alabama	60,305	22,055	82,360	1,807	23
Missouri*	104,539		104,539	1,802	18
South Dakota*	12,977		12,977	1,672	47
Georgia	150,243		150,243	1,656	9
Idaho	109	22,917	23,026	1,611	40
Indiana	94,268	492	94,760	1,510	15
Nebraska	25,277	896	26,173	1,488	39
North Carolina		129,209	129,209	1,488	11
Iowa*	43,195		43,195	1,456	31
Kansas*	36,866		36,866	1,343	34
Tennessee	62,241	17,579	79,820	1,339	16
California*	473,205		473,205	1,310	1
Michigan	130,689		130,689	1,291	8
Oregon	46,080		46,080	1,266	28
Maine	15,605	—	15,605	1,181	41
Connecticut*~	31,884	8,846	40,730	1,160	30
Illinois*	145,085		145,085	1,137	5
Rhode Island		12,182	12,182	1,132	44
Colorado	43,304	7,478	50,782	1,089	22
Washington	64,765	3,003	67,768	1,078	14
Hawaii	13,540		13,540	1,062	43
Wisconsin*	58,133		58,133	1,050	20
Utah	21,889		21,889	886	35
Minnesota*	36,953		36,953	720	21
Median			56,282	1,656	

* These states have unified court systems.

~ Connecticut, though classified as a unified court system, has a probate court with limited domestic relations jurisdiction.

** Data from Pennsylvania are preliminary figures provided by the PA AOC.

Notes: a) States in **boldface** have at least one court that reported reopened and/or reactivated caseloads; b) Blank cells indicate no limited jurisdiction court or no domestic relations jurisdiction; c) "—" = data not available.

Calculating per capita incoming domestic relations rates controls for the size of each state's population and makes caseload comparisons possible. For 2005, New York reported the highest number of incoming domestic relations cases (618,471) and has the third highest population while the District of Columbia reported the lowest number of incoming cases (11,824) and has the next to lowest population. Yet, when adjusted for population, both of these jurisdictions had per capita incoming rates higher than the median rate of 1,656 incoming cases per 100,000 population.

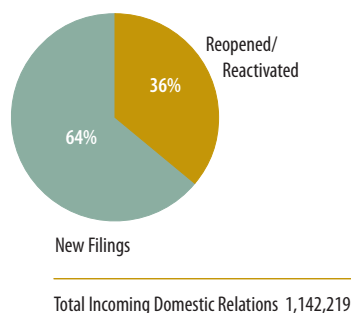
While 19 states had at least one court report reopened/reactivated caseloads in 2005, only 9 of those states had all courts with domestic relations jurisdiction reporting complete and comparable reopened/reactivated data. In those states, reopened/reactivated cases accounted for 36 percent of the total incoming domestic relations caseload.

Disaggregating this chart into its component states reveals a disparity in the proportion of cases that are reopened and/or reactivated versus those that are newly filed.

This disparity may be caused by a number of factors. Since the reporting of reopened and reactivated cases may be relatively new for many states, it is possible that the policies regarding the reporting of these cases vary among individual trial courts. Additionally, while the *State Court Guide to Statistical Reporting* does provide a definition for what constitutes a reopened or reactivated case with respect to the national reporting model, that definition may not actually be utilized by each state that reports reopened/reactivated cases.

Divorce cases are the most common case type heard in unified and general jurisdiction courts, comprising 33 and 40 percent,

Reopened/Reactivated Domestic Relations Caseloads in 9 States, 2005



Reopened/Reactivated Domestic Relations Caseloads in 9 States, 2005

State	Total	Reopened/ Reactivated	Percent Reopened/Reactivated
New Jersey	225,162	152,084	67.5%
North Dakota	17,355	8,628	49.7
Florida	498,441	224,300	45.0
Vermont	20,078	8,758	43.6
New Mexico	35,452	9,044	25.5
District of Columbia	11,824	901	7.6
Illinois	145,085	6,659	4.6
Michigan	130,689	3,726	2.9
Wisconsin	58,133	196	0.3



NCS Resource



National Center for State Courts
The Center for Family Violence and the Courts



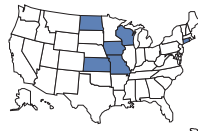
respectively, of the domestic relations caseloads in those court types. In contrast, divorce cases account for only 3 percent of the domestic relations caseload in the limited jurisdiction courts shown here. The difference in these proportions is due to the authority granted to the differing court levels. While 20 of the 22 unified and general jurisdiction courts have the authority to handle a

divorce case, only 3 of the 24 limited jurisdiction courts have that same authority.

Support and custody cases dominate the domestic relations caseload in limited jurisdiction courts, combining to comprise more than 60 percent of the incoming domestic relations cases in these 24 courts. Again, a likely reason for why

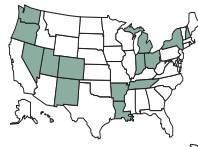
Incoming Domestic Relations Caseload Composition in 30 States, by Court Type, 2005

Unified: 7 Courts
333,818 cases



Divorce	33%
Protection Order	25
Support	19
Paternity	12
Adoption	4
Custody	3
Visitation	<1
Other	3

General Jurisdiction: 15 Courts
955,943 cases



Divorce	40%
Protection Order	17
Support	19
Paternity	9
Adoption	3
Custody	6
Visitation	<1
Other	6

Limited Jurisdiction: 24 Courts
1,190,867 cases



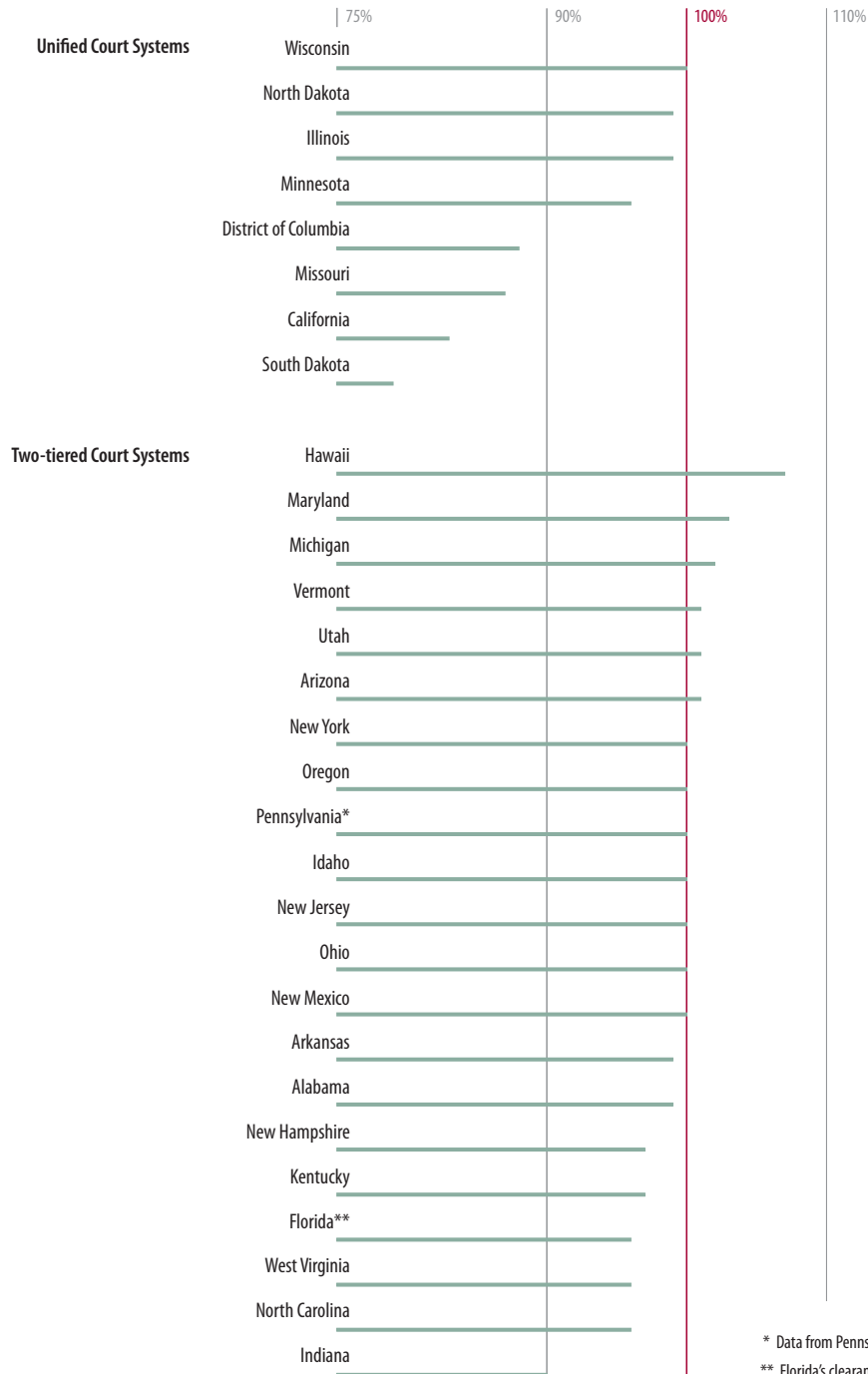
Divorce	3%
Protection Order	17
Support	35
Paternity	7
Adoption	1
Custody	28
Visitation	<1
Other	9%

the proportion of these cases is so high in limited jurisdiction courts is the division of authority granted to the two court levels.

A clearance rate is one measure of how well courts are keeping up with their caseload.

For 2005, one state with a unified court system and 13 states with two-tiered court systems reported a clearance rate of 100 percent or more. The 15 states that fell short of the target goal are potentially in danger of adding to the inventory of their pending cases.

Domestic Relations Clearance Rates in 29 States, 2005



* Data from Pennsylvania are preliminary figures provided by the PA AOC.

** Florida's clearance rate is based on new filings and entries of judgment only.



Courttools

CourTools | 

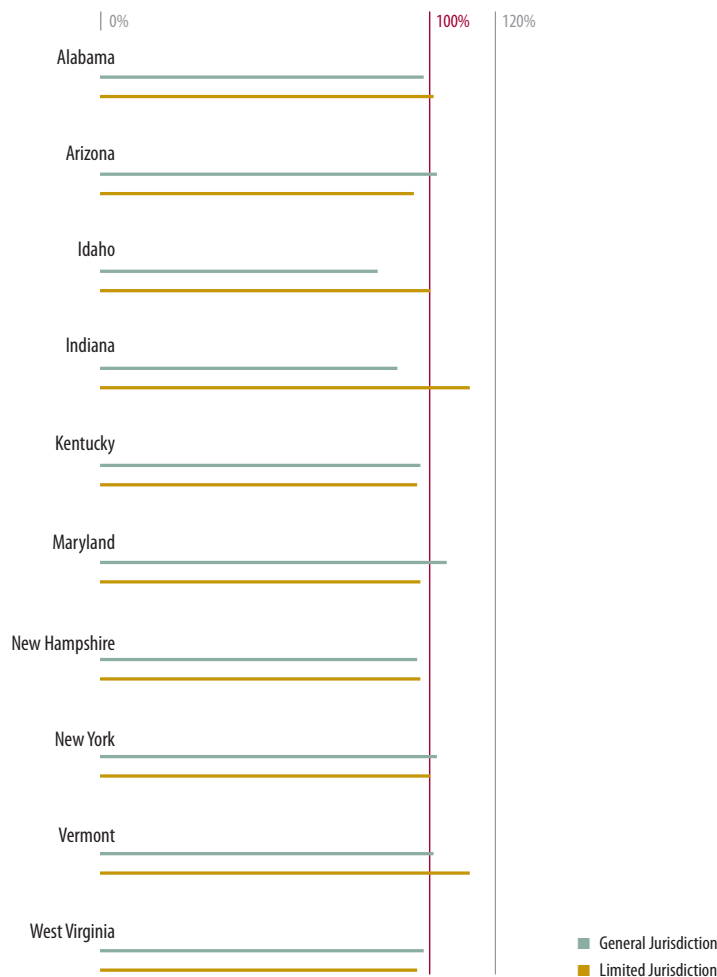
National Center for State Courts

Measure 2:
Clearance Rates

Not all states with two-tiered court systems process domestic relations cases in both court levels. In fact, only 10 of the aforementioned 21 states with two-tiered systems hear these cases in each jurisdiction. Of these, five (Arizona, Idaho, Maryland, New York, and Vermont) reported a statewide clearance rate of 100 percent. When divided to show the clearance rates for each court type individually, it can be seen that a statewide clearance rate of 100 percent does not necessarily mean that all of the courts in the state are reaching that target.

For example, Idaho reported a 100 percent clearance rate for its limited jurisdiction court, but only an 84 percent clearance rate for its general jurisdiction court. But this information must be tempered by the knowledge that Idaho's general jurisdiction court has an extremely small domestic relations caseload, as only about one-half of one percent of its aggregate caseload is heard in its general jurisdiction court. Consequently, Idaho is still able to achieve a statewide clearance rate of 100 percent.

Domestic Relations Clearance Rates in 10 States, by Court Type, 2005



Criminal Caseloads

Incoming criminal cases comprise the second largest category of trial court caseloads, representing about 21 percent of the 100.6 million incoming cases in state courts in 2005. Two-thirds of the 20.8 million criminal cases that entered the state courts did so through courts of limited jurisdiction, despite 10 states, including California, having no such courts.

The ways in which criminal cases are counted often differ from other types of cases. First, the *State Court Guide to Statistical Reporting* prescribes that defendants, not charges, be counted. This is not the case in all states. Additionally, states with two-tiered systems, i.e., those with both limited and general jurisdiction courts,

may hear parts of the same criminal case at both levels of court and count that case as two distinct cases. For example, a felony—the most serious type of criminal case—can have a preliminary hearing in a limited jurisdiction court, such as a municipal court. If a judicial officer then decides that the evidence against a defendant is sufficient to support the charges alleged by the prosecutor, the case is typically “bound over” to, or re-filed in, the court of general jurisdiction for trial. Thus, the number of criminal cases reported by the states does not necessarily equate to the number of defendants being charged, but more accurately the number of individual “cases” that courts are processing.

On the Web



Federal Bureau of Investigation
Local, state, and national
Uniform Crime Reports

Total Incoming Cases in State Courts, by Jurisdiction, 2005
(in millions)

Limited Jurisdiction	14.2
General Jurisdiction	3.2
Unified	3.4



Incoming Criminal Caseloads and Rates, 2005

State	General Jurisdiction	Limited Jurisdiction	Total	Per 100,000 Population		
				General Jurisdiction	Limited Jurisdiction	Total
Unified Courts						
North Dakota ¹	41,272	23,072	64,344	6,482	3,624	10,106
District of Columbia	38,549		38,549	7,002		7,002
Minnesota	324,745		324,745	6,327		6,327
Connecticut	186,628		186,628	5,317		5,317
California	1,578,176		1,578,176	4,368		4,368
Illinois	545,416		545,416	4,273		4,273
Missouri	235,175		235,175	4,055		4,055
South Dakota ²	29,126		29,126	3,754		3,754
Iowa	89,858		89,858	3,029		3,029
Wisconsin ¹	155,478	—	155,478	2,808	—	2,808
Puerto Rico	86,187		86,187	2,203		2,203
Kansas ¹	46,570	13,733	60,303	1,697	500	2,197
Median				4,164		4,164
Two-tiered Courts						
North Carolina	144,334	1,569,842	1,714,176	1,662	18,079	19,741
Arkansas	84,186	461,090	545,276	3,029	16,591	19,620
Delaware	8,973	142,328	151,301	1,064	16,873	17,937
Virginia	175,264	922,839	1,098,103	2,316	12,195	14,511
Arizona	56,359	663,739	720,098	949	11,175	12,124
Texas	261,484	2,284,180	2,545,664	1,144	9,992	11,136
Montana	8,752	85,153	93,905	935	9,101	10,036
Idaho	13,164	127,546	140,710	921	8,925	9,846
Hawaii	8,286	116,365	124,651	650	9,125	9,775
Alabama	79,313	354,501	433,814	1,740	7,778	9,518
Michigan	69,122	888,395	957,517	683	8,778	9,461
New Jersey	123,609	626,187	749,796	1,418	7,183	8,601
Louisiana	174,105	213,594	387,699	3,849	4,722	8,571
Massachusetts	5,145	535,925	541,070	80	8,375	8,456
West Virginia	8,612	144,810	153,422	474	7,970	8,444
Nebraska	10,863	133,903	144,766	618	7,613	8,231
Georgia	170,981	556,030	727,011	1,885	6,129	8,013
Ohio	101,775	788,813	890,588	888	6,881	7,769
Florida	355,580	981,537	1,337,117	1,999	5,517	7,516
New Hampshire	25,618	72,526	98,144	1,956	5,537	7,492
South Carolina	117,165	176,943	294,108	2,754	4,158	6,912
Nevada	14,056	139,517	153,573	582	5,778	6,360
Maryland	79,957	272,149	352,106	1,428	4,859	6,287
Kentucky	31,702	223,237	254,939	760	5,349	6,109
Alaska	5,546	31,877	37,423	836	4,803	5,639
Maine	72,545	72,545	145,090	5,490		5,490
New Mexico	25,520	78,822	104,342	1,323	4,087	5,411
Utah	41,532	85,717	127,249	1,682	3,471	5,153
Indiana	248,511	55,166	303,677	3,962	880	4,842
Washington	50,643	249,447	300,090	805	3,967	4,773
Pennsylvania	156,366	387,315	543,681	1,258	3,116	4,374
Rhode Island	5,783	38,715	44,498	537	3,597	4,135
Colorado	45,405	143,038	188,443	973	3,066	4,039
New York	74,412	611,472	685,884	386	3,176	3,562
Oregon	104,214	—	104,214	2,862	—	2,862
Vermont	17,552	0	17,552	2,817	0	2,817
Tennessee	158,044	—	158,044	2,650	—	2,650
Median				1,258	5,953	7,516

¹ Kansas, North Dakota, and Wisconsin each have municipal courts with some criminal jurisdiction.

² South Dakota's Magistrate Court has misdemeanor jurisdiction but its caseload is counted with the general jurisdiction court.

Notes: a) Blank cells indicate no limited jurisdiction court or no criminal jurisdiction. b) "—" = data not available. c) Mississippi, Oklahoma, and Wyoming were unable to report criminal data for 2005.

* Data from Pennsylvania are preliminary figures provided by the PA AOC.

The adjacent table shows the 2005 criminal caseloads for each state's general and limited jurisdiction courts (if applicable), as well as per capita rates. The population-adjusted rates vary substantially from a high of almost 20,000 in North Carolina to slightly fewer than 2,200 in Kansas. The difference in case counting practices between unified and two-tiered court systems is quite apparent as the median rate in the Total column for two-tiered courts is nearly twice that of unified courts.

Data from the 13 states able to report complete *reopened* and/or *reactivated* criminal caseloads indicate that about one in five criminal cases has either reentered the court system after an initial entry of judgment or been reactivated after a period of inactivity. A criminal case may be reopened, for example, when a defendant violates parole. When a court issues a bench warrant, the case should be *placed on inactive status* until

such time as the defendant returns to court. At that time, the case is reactivated and continues toward a disposition. Managing and counting criminal cases in this manner results in more accurate calculations of the age of active pending criminal cases.

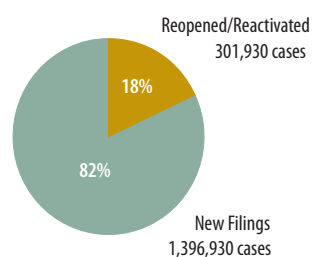
Disaggregating the data from the chart below reveals variations in the percentage of reopened/reactivated caseloads in state courts. Twelve of these 13 states reported only a *reopened* criminal caseload; Ohio alone reported a *reactivated* caseload. This indicates that most of the states collecting data on reopened and reactivated cases cannot yet distinguish one type of case from the other at the state level.

Courtools



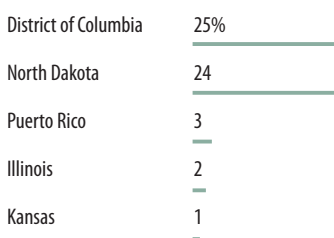
National Center for State Courts
Measure 4:
Age of Active Pending Caseload

Reopened/Reactivated Criminal Caseloads in Unified and General Jurisdiction Courts in 13 States, 2005

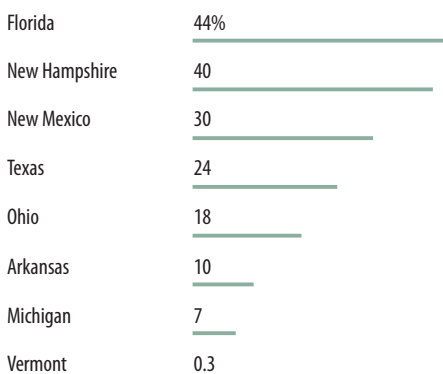


Reopened/Reactivated Criminal Caseloads as a Percentage of Total Criminal Caseloads in 13 States, 2005

Unified Courts



General Jurisdiction Courts



BJS Resource

BJS

Bureau of Justice Statistics
Criminal Case Processing Statistics

Criminal caseloads consist of felonies, misdemeanors, appeals from limited jurisdiction courts, and other non-specific criminal cases. The distinction between felonies and misdemeanors can differ from state to state but, in most instances, misdemeanors are less serious crimes punishable by up to one year in jail. Felonies are more serious crimes with penalties of at least one year in prison. Both types of cases can also result in fines for convicted defendants.

As noted earlier, felonies are subject to double counting in two-tiered courts. An

interstate examination of these cases is therefore improved by limiting the observation to cases filed in courts of general jurisdiction only. In so doing, criminal caseloads and rates in unified court systems (where double counting is not an issue) are made more comparable to the general jurisdiction courts of two-tiered systems. The adjacent chart displays the total number and population-adjusted rates of felony cases for 37 states. Although both of these metrics show wide ranges, the median per capita rates are quite similar at about 1,200 incoming felony cases per 100,000 state residents.

Criminal Caseload Composition in 31 States, 2005



Incoming Felony Caseloads and Rates in Unified and General Jurisdiction Courts in 37 States, 2005

	State	Total	Per 100,000 Adults
Unified Courts	District of Columbia	10,009	2,275
	Missouri	93,226	2,157
	North Dakota	7,370	1,543
	Connecticut	36,135	1,367
	Puerto Rico	37,437	1,342
	South Dakota	7,032	1,238
	Iowa	25,630	1,154
	California	283,080	1,078
	Illinois	98,172	1,041
	Kansas	19,290	956
	Wisconsin	35,562	862
	Minnesota	31,727	838
	Median		1,196
	General Jurisdiction Courts	Arkansas	60,894	2,937
Florida		354,561	2,582
Virginia		122,051	2,139
Louisiana		60,165	1,829
Tennessee		76,308	1,697
New Mexico		22,659	1,632
Texas		255,768	1,558
North Carolina		101,509	1,548
Indiana		71,775	1,544
Oregon		39,194	1,430
Colorado		45,405	1,308
Utah		21,144	1,263
Arizona		54,426	1,248
Alabama		41,462	1,218
Idaho		12,060	1,180
Ohio		94,397	1,104
Washington		45,576	976
Michigan		67,997	909
New Jersey		53,762	820
Vermont		3,853	816
Rhode Island		5,509	670
Nevada		11,614	646
West Virginia		6,187	438
Hawaii		4,044	419
Massachusetts		5,145	105
Median			1,248



CSP Resource



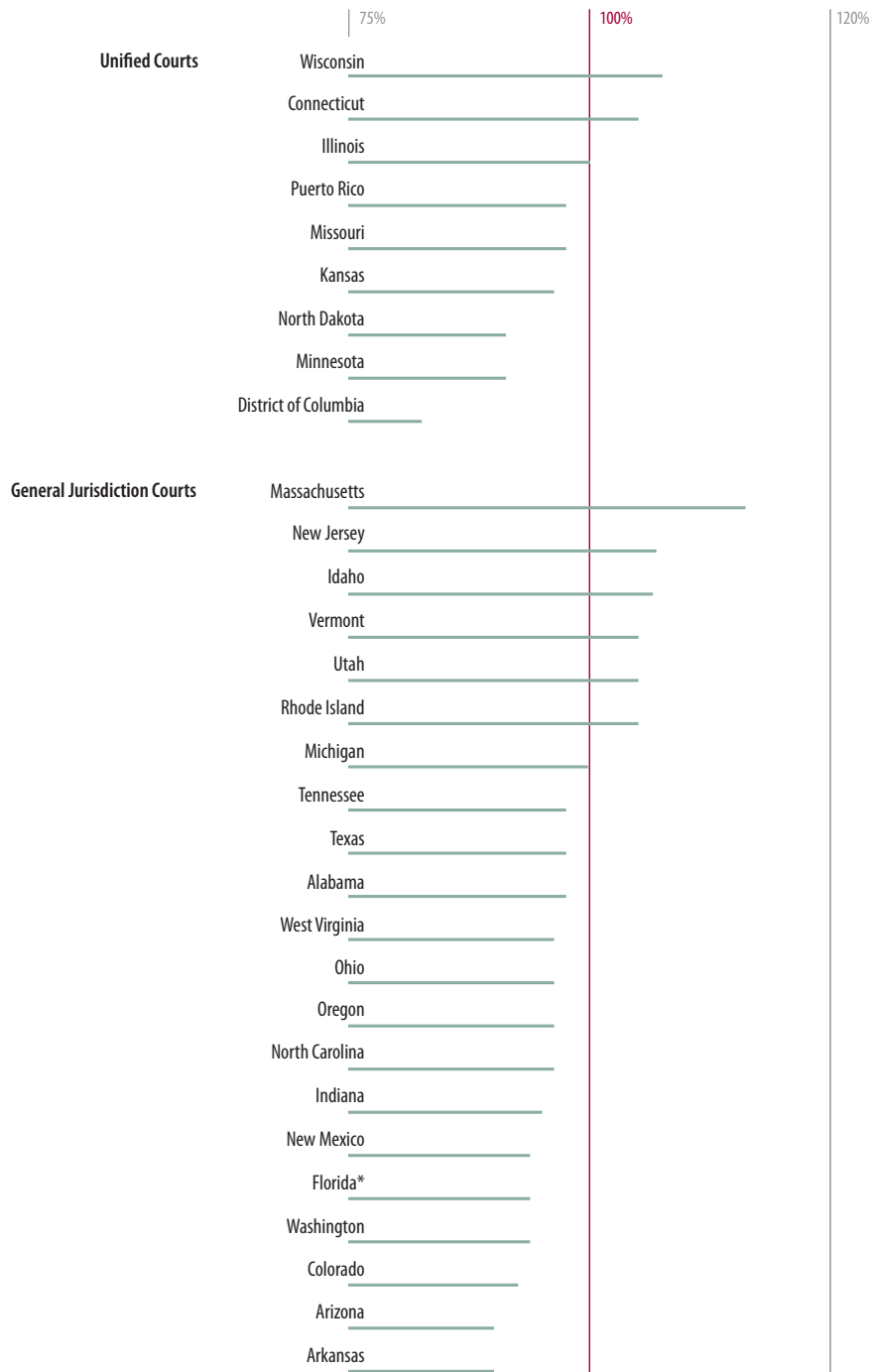
National Center for State Courts
Felony Caseloads in the NACM Network



One method for determining if a court is processing its caseloads efficiently is by determining a **clearance rate**. An annual clearance rate is calculated by dividing the number of *outgoing* cases during a reporting

period (in this instance, one year) by the number of *incoming* cases during the same period. The resulting percentage indicates whether the court is keeping up with its incoming caseload.

Felony Clearance Rates in Unified and General Jurisdiction Courts in 30 States, 2005



* Florida's clearance rate is based on new filings and entries of judgment only.

The general jurisdiction courts in 30 states reported incoming and outgoing caseloads from which clearance rates could be calculated for 2005. About one-third of these states reported at least as many outgoing cases as incoming cases, generating clearance rates of 100 percent or more. Massachusetts reported the highest clearance rate at 113 percent. But as shown in the chart on page 49, Massachusetts also had by far the lowest per capita rate of incoming felony cases (105) among the 37 states shown there. Conversely, the District of Columbia reported the third highest per capita rate of incoming felony cases (2,275) and its clearance rate was the lowest at 86 percent.

The *Guide* divides felony caseloads into 10 distinct case types: person, domestic

violence, property, drug, weapon, public order, motor vehicle/DUI, motor vehicle/reckless driving, motor vehicle/other, and other felony. Although many courts are able to distinguish and report some of this detail, the general jurisdiction court of Hawaii and the unified court of Puerto Rico reported felony caseloads for seven of the 10 case types. (*Note:* for this analysis, the three motor vehicle case types are consolidated into one category and public order is included with "other" felony.)

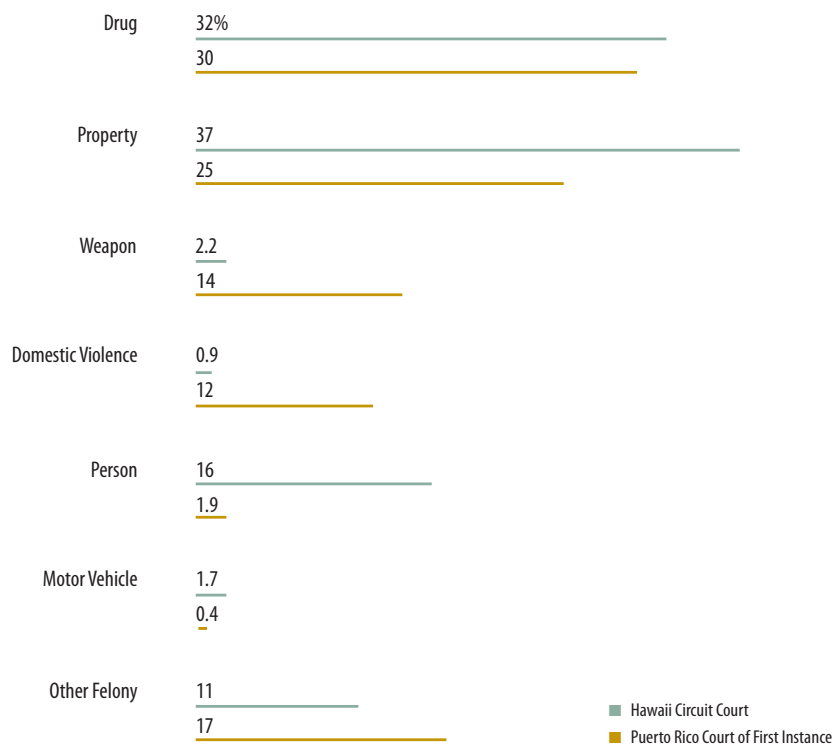
The proportions of drug and motor vehicle cases are quite comparable between the two courts. However, there is little similarity among the remaining case types as exemplified by a 14 percent gap in person cases and differences of more than 10

CSP Resource



National Center for State Courts
State Court Structure Charts —
Hawaii and Puerto Rico

Felony Caseload Composition in the General Jurisdiction Courts of Hawaii and Puerto Rico, 2005



percent in property, weapon, and domestic violence cases.

Some differences in criminal caseloads and rates are attributable to such things as

geographic location, local legal culture, charging practices, and justice system resources. Other differences are clearly the result of data that are collected or reported in a manner inconsistent with

Incoming Misdemeanor Caseloads and Rates in 25 States, 2005



*These states have unified court systems.

other jurisdictions. The adjacent chart shows the number of incoming misdemeanor cases and the resulting population-adjusted rates in 25 states for 2005. Three of these states, Arkansas, Arizona, and Texas, report misdemeanor caseloads by the number of *charges* filed against defendants. The national model outlined in the *Guide* recommends that felony and misdemeanor *defendants* be counted, rather than the number of charges against them.

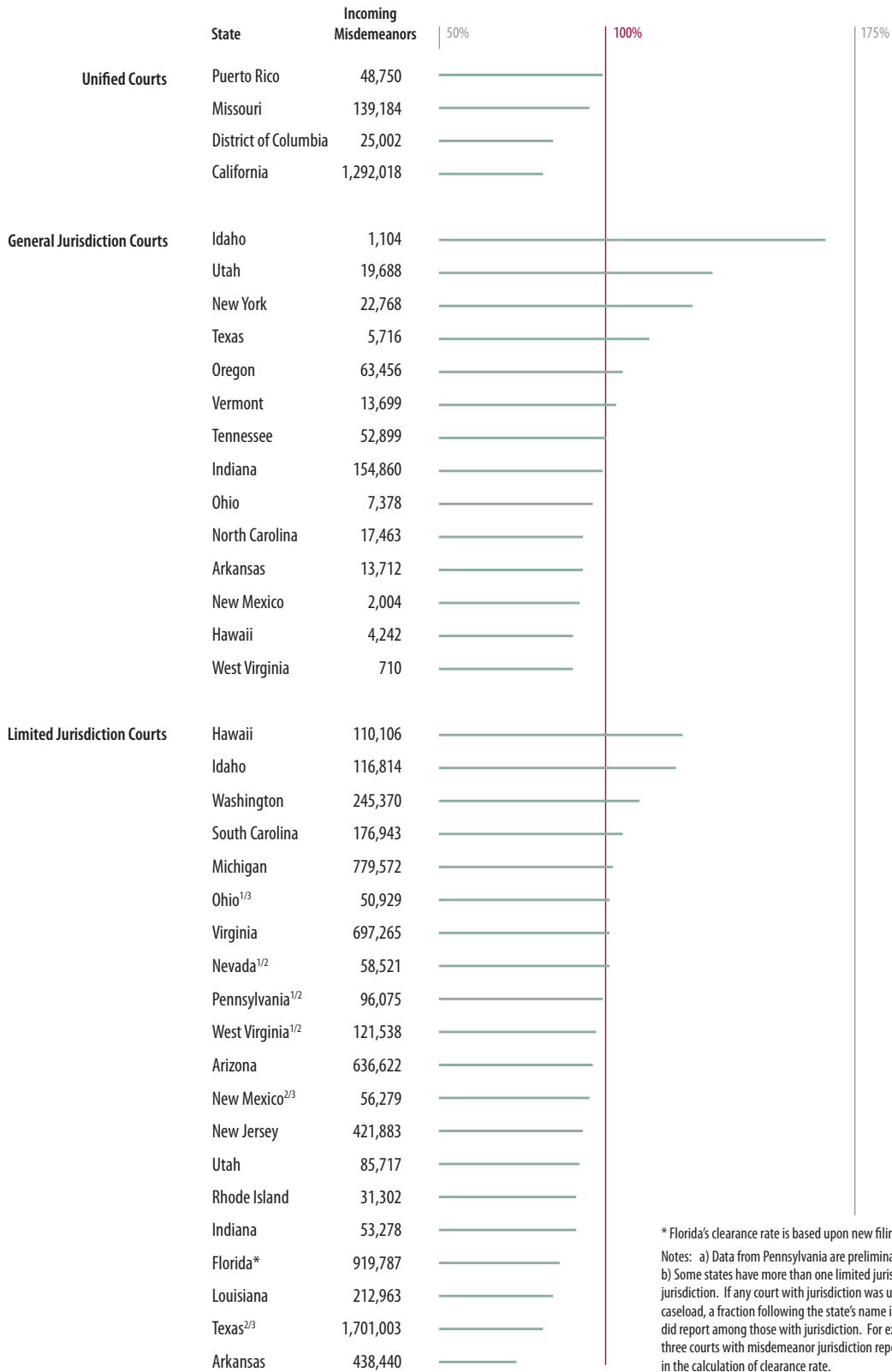
Because of differences in reporting practices, comparisons between some states become difficult. For example, California, the most populous state, counts defendants and reported 1.3 million misdemeanors and a per capita rate of about 3,600. The second most populous state, Texas, reported 2.3 million misdemeanor charges and a rate of nearly 9,900, despite having 13 million fewer residents.

Depending upon a state's court structure, misdemeanor cases may be heard in a general jurisdiction court, in one or more limited jurisdiction courts, or some combination of the two. The chart on the following page shows clearance rates for

misdemeanor cases in various courts of 29 states. Nine of the 25 two-tiered states shown here reported incoming and outgoing misdemeanor caseloads from both general and limited jurisdiction courts.

Among the four unified courts, Puerto Rico achieved the highest rate at 99 percent. Seven of 14 general jurisdiction (50 percent) and 8 of 20 limited jurisdiction courts (40 percent) cleared at least as many cases as were incoming in 2005. Idaho's high general jurisdiction clearance (166 percent) is based on a rather small incoming caseload of just over 1,100 cases. However, the limited jurisdiction court in Idaho also achieved a high rate (121 percent) with an incoming misdemeanor caseload of over 116,000 cases.

Misdemeanor Clearance Rates in 29 States, 2005



* Florida's clearance rate is based upon new filings and entries of judgment only.
 Notes: a) Data from Pennsylvania are preliminary figures provided by the PA AOC.
 b) Some states have more than one limited jurisdiction court with misdemeanor jurisdiction. If any court with jurisdiction was unable to report their misdemeanor caseload, a fraction following the state's name indicates the number of courts that did report among those with jurisdiction. For example, 2/3 means that two of the three courts with misdemeanor jurisdiction reported their caseloads and were used in the calculation of clearance rate.

Juvenile Caseloads

A comparison of incoming juvenile caseloads across states is made possible by calculating the number of incoming cases per 100,000 juveniles in the state

population. The table below presents the number of juvenile cases in 41 states, displayed in order of the highest to lowest number of per capita incoming cases.

Incoming Juvenile Caseloads and Rates in 41 States, 2005

State	Cases	Per 100,000 Juveniles	Population Rank
North Dakota*	11,234	7,058	49
Ohio	177,917	6,110	7
Georgia	136,361	5,672	9
Utah	45,095	5,671	32
Virginia	95,379	5,124	12
Arkansas	35,789	5,070	35
Alabama	54,937	4,764	24
South Dakota*	9,757	4,692	47
Nevada	27,998	4,529	36
Florida	182,376	4,496	4
Minnesota*	57,424	4,270	21
Kentucky	43,198	4,208	27
Rhode Island	10,610	4,177	44
Hawaii	12,663	4,070	43
New Jersey	86,296	3,991	10
Connecticut*	32,960	3,801	30
Idaho	14,382	3,531	39
District of Columbia*	3,751	3,390	52
Massachusetts	45,916	3,041	16
Washington	44,738	2,769	14
Kansas*	19,934	2,741	34
Michigan	66,683	2,524	8
Louisiana	30,793	2,493	22
Nebraska	11,456	2,477	38
Pennsylvania**	71,251	2,409	6
Maryland	34,280	2,391	19
New York	107,714	2,265	3
West Virginia	8,874	2,190	40
Oregon	19,662	2,186	29
North Carolina	44,308	2,091	11
Iowa*	14,756	1,982	33
Missouri*	28,126	1,902	17
Colorado	22,609	1,893	23
Wisconsin*	22,091	1,565	20
Vermont	2,347	1,557	50
New Mexico	8,289	1,535	37
Maine	4,759	1,526	42
Arizona	23,006	1,456	15
California*	134,726	1,366	1
Montana	3,059	1,282	45
Illinois*	36,290	1,089	5
Median		2,741	

States in **boldface** reported reopened and/or reactivated caseloads.

* These states have unified court systems.

** Data from Pennsylvania are preliminary figures provided by the PA AOC.

CSP Resource

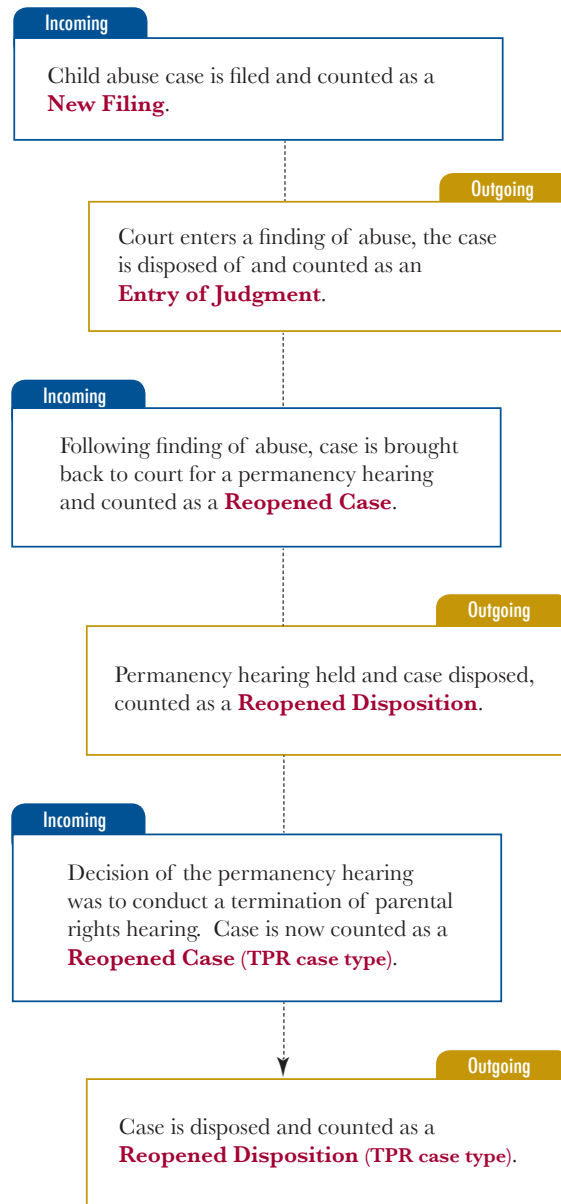
CSP
Court Statistics Project

National Center for State Courts
State Court Structure Charts



The number of newly filed juvenile cases alone does not provide an accurate picture of the workload sustained by courts with juvenile jurisdiction. As an example, dependency cases involving a single child may be opened and disposed several times before the matter that initiated the

court case is fully resolved. The hypothetical case scenario below illustrates the potential complexity of juvenile dependency cases. It would ultimately be reported as three incoming and three outgoing cases for the court in which it was processed.



Reopened and reactivated cases comprised an aggregate 33 percent of the incoming caseload in the 10 states able to distinguish and report a complete incoming caseload for 2005. Inclusion of reopened and reactivated cases provides for a more

accurate assessment of the true quantity of juvenile caseloads. Courts that cannot report these types of incoming cases may be understating their caseload and hence their workload.

Incoming Juvenile Caseloads in 10 States, 2005

State	New Filings	+	Reopened/Reactivated	=	Incoming	Percent Reopened/Reactivated
New York	49,995		57,719		107,714	54%
Florida	91,849		90,527		182,376	50
Arkansas	22,510		13,279		35,789	37
Ohio	125,908		52,009		177,917	29
California*	100,295		34,431		134,726	26
New Mexico	6,360		1,929		8,289	23
Illinois*	28,519		7,771		36,290	21
New Jersey	71,378		14,918		86,296	17
North Dakota*	9,375		1,859		11,234	17
Michigan	64,569		2,114		66,683	3
Total	570,758		276,556		847,314	33

* These states have unified court systems.

Tip

Some of the cases currently counted as "reopened" or "reactivated" may actually be cases that are set for periodic review subsequent to an entry of judgment. Cases that are *scheduled* to return to the court's docket subsequent to an entry of judgment are to be captured in a new status category called "set for review" in Version 2.0 (forthcoming 2007) of the *Guide*.



Courttools



National Center for State Courts

Measure 2:
Clearance Rates

Clearance rates provide insight into the efficiency of a court's case processing and are calculated by dividing the number of outgoing cases by the number of incoming cases. A clearance rate above 100 percent indicates that the court resolved more cases than were incoming during a given reporting

period. States that regularly experience a clearance rate of less than 100 percent likely add to their pending caseload and risk creating a backlog. Of the 31 states that reported complete incoming and outgoing data for 2005, nine states had a clearance rate over 100 percent.

Juvenile Caseload Clearance Rates in 31 States, 2005

State	Clearance Rate
Idaho	111%
North Carolina	108
Hawaii	105
Vermont	103
New York	102
Utah	102
Virginia	102
New Jersey	102
Wisconsin*	101
District of Columbia*	99
New Mexico	99
South Dakota*	99
Michigan	99
Ohio	99
Oregon	98
Washington	98
Minnesota*	97
Pennsylvania**	97
Arkansas	96
Alabama	95
West Virginia	95
Kansas*	95
Arizona	90
Illinois*	90
Montana	90
Rhode Island	90
Missouri*	89
Georgia	88
New Hampshire	88
Maryland	87
California*	83

* These states have unified court systems.

** Data from Pennsylvania are preliminary figures provided by the PA AOC.

When clearance rates are examined by case subcategory, courts can identify targets of opportunity for improvement of caseload management. Only two states, Utah and Vermont, reported a clearance rate of 100 percent or more for all three juvenile subcategories.

Sixteen states provided data for juvenile cases pending at the beginning and at the end of the 2005 reporting period. The second table below illustrates that those states with less than a 100 percent clearance rate also had increases in their pending caseloads

Juvenile Clearance Rates in 12 States, by Case Subcategory, 2005

State	Total Juvenile	Delinquency	Dependency	Status Offense
Vermont	103%	102%	101%	112%
Utah	102	103	101	102
North Carolina	108	108	118	75
New York	102	96	103	111
New Mexico	99	101	79	100
Ohio	99	99	98	100
Washington	98	101	91	97
Minnesota*	97	99	94	98
Pennsylvania**	97	96	100	84
Arkansas	96	96	93	95
Missouri*	89	71	99	68
Georgia	88	93	81	86

* These states have unified court systems.

** Data from Pennsylvania are preliminary figures provided by the PA AOC.



Pending Juvenile Caseloads in 16 States, 2005

State	Total Juvenile Caseload				Clearance Rate	Change in Pending Caseloads	
	Begin Pending	Incoming	Outgoing	End Pending		Cases	Percent
Decreased Pending Caseload							
Idaho	7,299	14,382	15,901	5,780	111%	-1,519	-21%
Hawaii	5,611	12,663	13,256	5,018	105	-593	-11
Vermont	1,071	2,347	2,413	997	103	-74	-7
New York	30,663	107,714	110,310	26,930	102	-3,733	-12
New Jersey	24,098	86,296	87,962	22,432	102	-1,666	-7
Increased Pending Caseload							
District of Columbia*	4,429	3,751	3,723	4,457	99	28	1
Michigan	16,034	66,683	65,950	16,767	99	733	5
New Mexico	5,398	8,289	8,219	5,449	99	51	1
Ohio	29,428	177,917	175,928	31,417	99	1,989	7
Oregon	11,245	19,662	19,341	11,566	98	321	3
Pennsylvania**	38,126	71,251	68,813	40,564	97	2,438	6
Arkansas	8,723	35,789	34,422	10,090	96	1,367	16
Arizona	21,983	23,006	20,809	23,719	90	1,736	8
Illinois*	38,046	36,290	32,662	41,674	90	3,628	10
Missouri*	15,267	28,126	24,924	18,469	89	3,202	21
New Hampshire	9,706	8,966	7,847	10,825	88	1,119	12

* These states have unified court systems.

** Data from Pennsylvania are preliminary figures provided by the PA AOC.

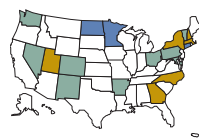
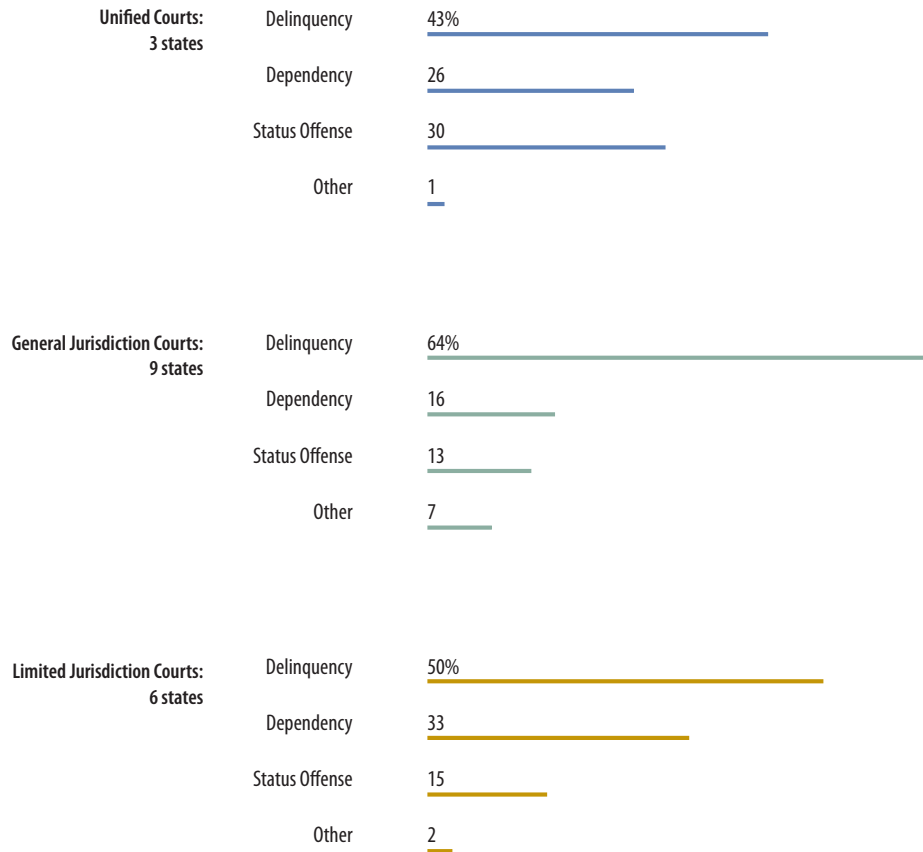


ranging from relatively insignificant (1 percent) to substantial (21 percent). Conversely, those states with a clearance rate greater than 100 percent showed decreases in their pending caseloads.

For court statistics purposes, the juvenile caseload is divided into three main subcategories (delinquency, dependency, and status offenses) as well as a residual "other" category. A delinquency case is filed when an individual under the age of majority in a given state is apprehended for committing

a criminal act. A status offense case is filed when a juvenile commits an act that is only considered a crime due to the age of the perpetrator (e.g., truancy). A dependency case results from a parent or guardian harming, or failing to properly supervise, a juvenile (e.g., abuse or neglect). Delinquency cases were the most prevalent in each of the 18 states that reported complete data for all three subcategories. The high percentage of status offense cases in unified courts is influenced by Minnesota's atypical inclusion of petty theft cases within that caseload.

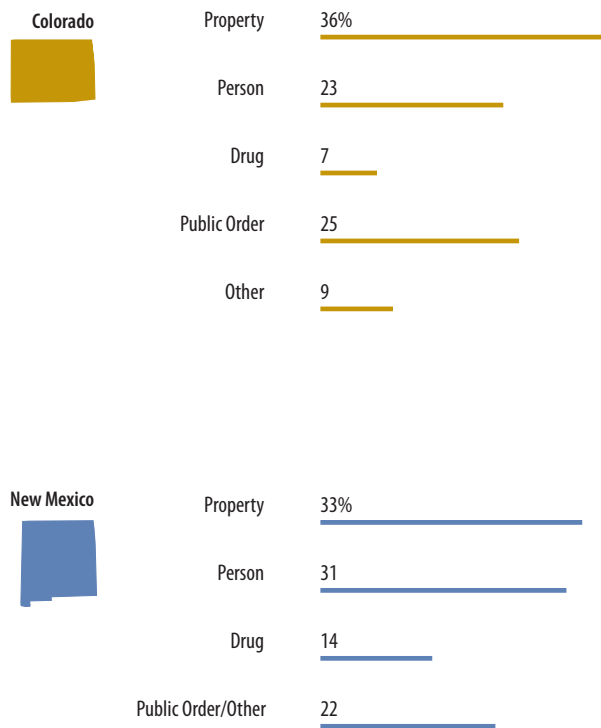
Incoming Juvenile Caseload Composition in 18 States, by Jurisdiction, 2005



Delinquency caseloads are further divided into five case types: property, person, drug, public order, and a residual "other" delinquency. Colorado reported the number of new filings for each of the case types within the delinquency subcategory. The neighboring state of New Mexico reported data for property, person, and drug cases but could not distinguish public order cases from other delinquency cases.

Property and drug offenses were the most and least common cases, respectively, in the delinquency caseloads of these two states. Despite these similarities, if Colorado's "other" delinquency cases are added to its public order caseload to make its composition more comparable to that of New Mexico, the combined caseload in Colorado (34 percent) becomes second only to property in that state and is greater than the proportion of property cases in New Mexico.

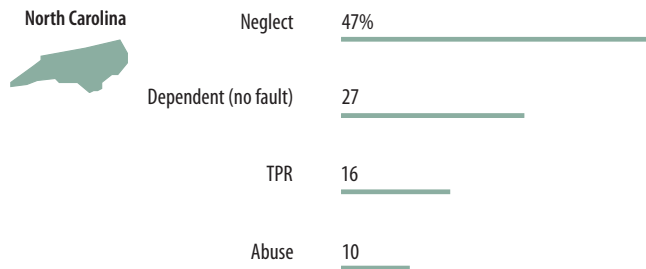
Juvenile Delinquency Caseload Composition in Colorado and New Mexico, 2005



Dependency cases are composed of four case types: abuse, neglect, dependent (no fault), and termination of parental rights (TPR). North Carolina was the only state to report the number of new filings for each of the four case types within the dependency subcategory. Nearly half of

North Carolina's juvenile caseload involved child neglect cases and over one-quarter were dependent (no fault) cases. However, until more states can report this level of detail, the extent to which these proportions are typical will remain unknown.

Juvenile Dependency Caseload Composition in North Carolina, 2005



Traffic/Violations Caseloads

The adjacent table illustrates each state's contribution to the 55 million incoming traffic, parking, and ordinance violations cases reported by state trial courts for 2005. Yet despite its staggering size, this total under-represents the true traffic/violations caseload due to incomplete or outdated reporting from many states. For example, California's total is incomplete because parking violations are not included in its total, and neither Oklahoma nor Wyoming updated their data for 2005. The purpose of the tables and graphics that follow is to illustrate not only what is known about the traffic caseload, but also the challenges and complexities in reporting and interpreting caseload data in general.

Incoming Traffic/Violations Caseloads and Rates, 2005

State	Total	Per 100,000 Population
States Reporting Complete Caseloads		
New Jersey	5,673,995	65,084
Hawaii	413,696	32,442
Michigan	2,665,581	26,337
Arizona	1,476,497	24,860
Illinois	3,013,682	23,612
Arkansas	654,541	23,552
Utah	545,079	22,072
Vermont	137,356	22,046
South Dakota	142,605	18,379
Indiana	795,463	12,683
Florida	1,336,603	7,513
New Hampshire	72,504	5,535
Puerto Rico	10,945	280
States Reporting Incomplete Caseloads		
Texas	9,429,882	41,251
Nevada	659,099	27,294
Minnesota	1,363,157	26,558
Delaware	213,161	25,270
Kansas	691,094	25,179
Washington	1,582,770	25,172
Maryland	1,406,510	25,115
Iowa	725,036	24,442
Missouri	1,382,514	23,835
Louisiana	983,483	21,741
North Dakota	132,224	20,768
Montana	194,120	20,747
Virginia	1,503,333	19,866
Pennsylvania	2,341,068	18,835
Alabama	807,966	17,727
Wyoming ¹	87,948	17,269
Ohio	1,920,002	16,748
California	5,810,121	16,080
Idaho	215,883	15,106
South Carolina	633,238	14,882
Georgia	1,300,806	14,338
Maine	150,946	11,422
Rhode Island	117,046	10,876
Alaska	68,551	10,329
Wisconsin	540,974	9,772
Nebraska	169,851	9,657
New Mexico	185,017	9,594
Colorado	421,475	9,034
Kentucky	364,239	8,728
North Carolina	754,351	8,687
West Virginia	155,447	8,556
Oregon	270,891	7,440
New York	1,179,195	6,124
Oklahoma ²	185,419	5,226
Massachusetts	280,084	4,377
Connecticut	112,259	3,198
District of Columbia	16,524	3,002
Mississippi	—	—
Tennessee	—	—
Grand Total	55,294,231	

Statistical Guide



National Center for State Courts
Traffic, Parking, and Local
Ordinance Case Type Definitions



¹ Wyoming's last reported data are from 2004.

² Oklahoma's last reported data are from 1997.

"—" = No data reported in any year.

NCSA Resource

National Center for State Courts
Traffic Resource Center

The variations revealed in these data probably reflect differences in driving behavior, local traffic and parking enforcement practices, and data reporting practices, but without more consistent data reporting across states, it is difficult to know the source of the differences. For example, Florida has a large population and yet a very low per capita rate of these cases, while for Hawaii the converse is true; a definitive explanation is not possible without more information.

A more meaningful comparison can be made using the subset of states that reported complete data from all courts (general and limited jurisdiction, or unified courts) having jurisdiction over one particular component of the total traffic/violations caseloads reported in the previous table. Nine states were able to distinguish non-criminal traffic cases (such as moving violations, expired registrations, or expired inspections) from **parking and ordinance violations**. The differences in per capita rates can be reasonably interpreted as reflecting variations in driving behavior, geography (i.e., the prevalence of major roads and highways within

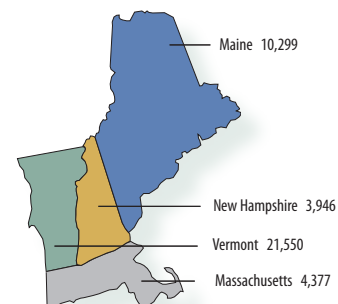
Incoming Non-Criminal Traffic Caseloads in 9 States, 2005

State	Total	Per 100,000 Population
New Jersey	2,532,300	29,047
Illinois	2,820,106	22,095
Arizona	1,300,767	21,901
Washington	973,014	15,475
California	5,519,452	15,276
Idaho	215,883	15,106
Maine	136,104	10,299
Massachusetts	280,084	4,377
New Hampshire	51,690	3,946

a state, which generate the “opportunity” for a traffic case), and how the law is interpreted and applied in these states. It is not therefore surprising that New Jersey, the most densely populated state and one through which a major north-south interstate (I-95) runs, has the highest per capita rate.

The challenges associated with accurate compilation and comparison of caseload data are illustrated in a regional comparison of per capita incoming non-criminal traffic case rates shown in the map below. The data appear to say that Vermont has a rate much higher than its neighboring states, each of which is comparable both geographically and demographically. However, Vermont’s non-criminal traffic caseload is overinclusive because it contains

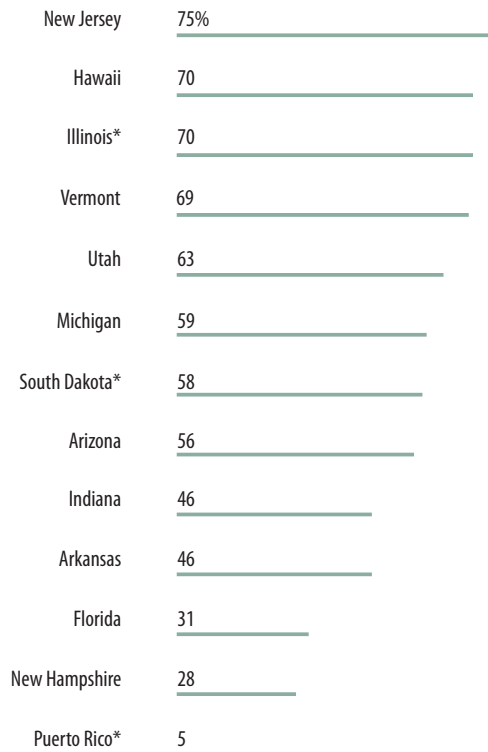
Incoming Non-Criminal Traffic Rates per 100,000 Population in 4 States, 2005



both contested and uncontested parking violations. Maine's total is overinclusive because it too includes these same violations. Massachusetts handles parking violations as an administrative matter outside of the court, and thus its per capita rate is a more accurate measure of the non-criminal traffic caseload. Finally, New Hampshire's caseload includes contested parking, making it overinclusive, but slightly less so than its other overinclusive neighbors. This example illustrates the value of states that are able to report in the framework defined by the *State Court Guide to Statistical Reporting* in order to make valid comparisons. Details of these counting practices are documented in the annual companion volume, *State Court Caseload Statistics, 2006*.

The 13 states listed below that reported complete traffic/violations caseloads vary substantially in terms of the share that those cases represent of their total incoming caseloads. New Jersey had the highest per capita incoming rate (shown on the first table in this section) as well as the highest proportion of traffic/violations cases among their total incoming caseload. Puerto Rico, despite being a close second in population density, produced rates and percentages that are a fraction of those reported by New Jersey, ranking it last on both charts. Puerto Rico's island geography and absence of interstate highways no doubt contribute to its unusually low traffic filing rates.

Traffic/Violations Cases as a Percentage of All Incoming Cases in 13 States, 2005



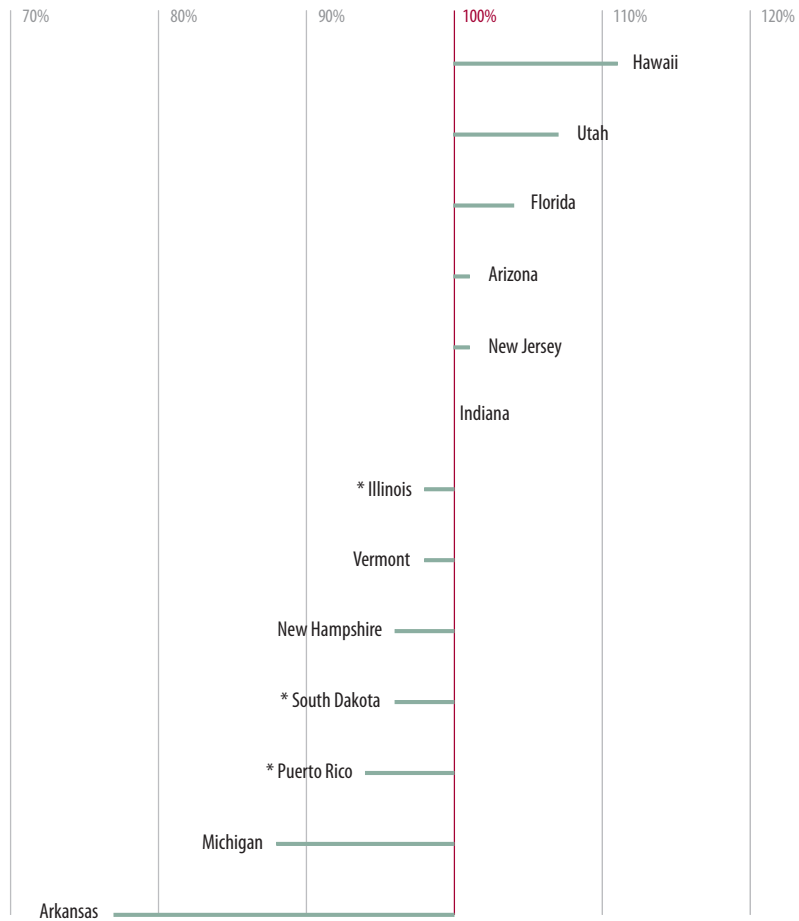
*These states have unified court systems.



Given the high volume of traffic/violations cases, clearance rates for these cases can be greatly affected by case processing efficiency. Last year, for example, Michigan reported a 100 percent clearance rate for traffic/violations cases; this year that rate is 88 percent. The difference is almost entirely attributable to the processing of

parking violations, which fell by half. Many of Michigan's parking violations cases were not yet disposed at year end, resulting in a clearance rate of only 50 percent for parking violations cases, which represent a large portion of the total traffic, parking, and ordinance violations caseload.

Clearance Rates for Traffic/Violations Cases in 13 States, 2005



* These states have unified court systems.

Appellate Caseloads

The primary function of state appellate courts is to review lower court decisions and thus provide overall direction in the law. In 39 states and Puerto Rico there are two possible levels of appellate review: an intermediate appellate court (IAC) that analyzes the actions of **trial courts**; and, a court of last resort (COLR) that can scrutinize the determinations of the IAC. In some cases (such as those involving the death penalty) the COLR will review the decision of the trial court directly. Eleven states and the District of Columbia have no IAC; their court of last resort provides the only level of appellate review.

A secondary function of these courts is their ability to entertain proceedings directly. These cases, referred to as *original jurisdiction* proceedings, allow the appellate court initial examination of a case or controversy. Habeas corpus, the examination by a court as to the purpose and right of one person to detain or imprison another, is perhaps the most well known of these original jurisdiction case types.

Appellate caseloads can be further divided into *mandatory* and *discretionary* jurisdiction cases. Mandatory cases are those in which the court *must* examine the merits of the case. Discretionary cases are those in which the court *may* examine the merits of the case if it chooses.

States with larger populations have higher trial court caseloads and hence a larger number of appeals. However, after adjusting for population, not all large states have high rates of appeals filed.

CSP Resource

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Court Statistics Project

National Center for State Courts

Caseload Highlights,
Taxonomy of Appellate Court
Organization

Total Appellate Caseloads, 2005

State	Total	Percent Mandatory	Percent Discretionary	Per 100,000 Population	Population Rank
With an Intermediate Appellate Court					
Louisiana	10,465	26%	74%	231	24
Florida	28,680	69	31	161	4
Puerto Rico	5,708	49	51	146	27
Alaska	917	76	24	138	48
Oregon	4,863	83	17	134	28
Alabama	5,697	85	15	125	23
Pennsylvania	15,371	81	19	124	6
Ohio	14,120	87	13	123	7
New Jersey	10,344	71	29	119	10
Nebraska	1,906	83	17	108	39
Kansas	2,880	74	26	105	34
Washington	6,365	67	33	101	14
Michigan	10,112	41	59	100	8
Mississippi	2,769	75	25	95	32
Colorado	4,232	68	32	91	22
Idaho	1,295	83	17	91	40
Kentucky	3,773	79	21	90	26
Illinois	11,478	81	19	90	5
Hawaii	1,131	91	9	89	43
Texas	20,025	86	14	88	2
Arizona	5,198	77	23	88	17
New York	16,531	77	23	86	3
California	30,891	43	57	85	1
Arkansas	2,257	74	26	81	33
Missouri	4,672	88	12	81	18
Virginia	5,881	12	88	78	12
New Mexico	1,486	61	39	77	37
Wisconsin	4,139	74	26	75	20
North Dakota	470	100	0	74	49
Iowa	2,147	100	0	72	31
South Carolina	2,850	62	38	67	25
Tennessee	3,810	62	38	64	16
Minnesota	3,248	76	24	63	21
Utah	1,553	97	3	63	35
Indiana	3,690	75	25	59	15
Maryland	3,252	69	31	58	19
Georgia	5,138	61	39	57	9
Massachusetts	3,413	61	39	53	13
North Carolina	3,465	55	45	40	11
Connecticut	1,376	83	17	39	30
Median		75	25	88	
Without an Intermediate Appellate Court					
District of Columbia	1,648	99	1	299	51
West Virginia	3,031		100	167	38
Vermont	532	96	4	85	50
Nevada	2,058	100		85	36
Montana	738	77	23	79	45
New Hampshire	939		100	72	42
Delaware	583	100	0	69	46
Maine	629	79	21	48	41
South Dakota	369	84	16	48	47
Rhode Island	345	70	30	32	44
Median		90	21	75	

Oklahoma and Wyoming did not report data for 2005.
Blank cells indicate no jurisdiction.

This distinction between number and rate of appeals appears most clearly in states such as Louisiana, which ranks at the top of the list in terms of appeals per 100,000 people yet only eighth in terms of total number of appeals. In this case, the higher per capita rate of appeals may be explained by the automatic right of appeal to which each case from the Louisiana District Court is entitled.

Four of the five most populous states, (California, Texas, Illinois, and New York) are all near the median of appeals per 100,000 residents for states with an intermediate appellate court. The fifth, Florida, has nearly double the median.

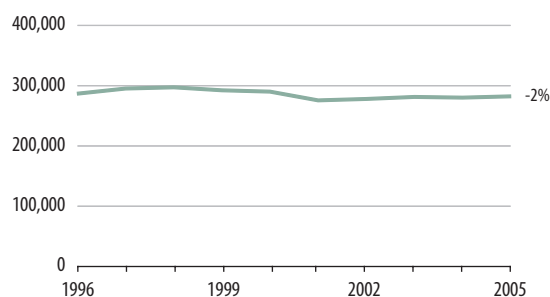
The high levels of appeal per 100,000 residents seen in the District of Columbia may be explained by its unique circumstances. D.C. is functionally more like a city than a state, thus this rate is not necessarily comparable to any other state.

With only several exceptions (California, Louisiana, Michigan, Puerto Rico, New Hampshire, Virginia, West Virginia), the majority of states' appellate court caseloads fall under mandatory jurisdiction. States with no intermediate appellate court generate median mandatory jurisdiction rates

higher than other states. This lack of discretionary jurisdiction is due to the absence of any appellate recourse other than to the state's court of last resort.

Over the last decade appellate court caseloads appear to have decreased by 2 percent. Much of the decline between 2000 and 2001 can be attributed to changes in the mandatory jurisdiction in many courts in the late 1990s. Despite this overall decrease, in the last five years appellate filings rose almost 3 percent. Thus, the small change observed over this ten-year period is difficult to interpret, particularly since some of the change is due simply to improved ability of appellate courts to accurately count, classify, and report their caseloads.

Total Appellate Filings, 1996-2005



The table below disaggregates the 10-year trend line, separating states whose caseloads increased from those whose caseloads decreased. Some of these changes can be attributed to improved reporting practices, while others represent changes in patterns of litigation.

South Carolina's increase over the last decade is the result of a surge in post-conviction relief requests as well as improved counting practices in their appellate courts. Mississippi's ability to provide more complete data from its appellate courts accounts for the rise in its reported caseload.

West Virginia's large growth between 2004 and 2005 is largely due to a rise in the number of workers' compensation petitions, the possible result of administrative transitions in the decision-making body at the agency level. Alaska's increase during the same time period stems from the impact of the U.S. Supreme Court decision in *Blakley v. Washington*, which addressed the constitutionality of sentencing guidelines. North Dakota's increase is attributed to drug-related appeals. Changes in the handling of *pro hac vice* admission petitions in Rhode Island caused caseloads to rise in the late 1990s only to fall sharply in the last five years.

Percentage Change in Appellate Caseloads

States with INCREASED Caseload	Percentage Change		States with DECREASED Caseload	Percentage Change	
	1996-2005	2004-2005		1996-2005	2004-2005
South Carolina	132%	-6%	Rhode Island	-49%	-12%
Puerto Rico	67	4	Maine	-25	-7
Mississippi	54	-7	South Dakota	-21	-9
Arkansas	39	-2	Kentucky	-20	-3
North Carolina	37	-2	Vermont	-19	-4
Idaho	31	-1	District of Columbia	-19	-6
Hawaii	24	2	Louisiana	-17	-17
Nebraska	21	4	Wisconsin	-15	-6
North Dakota	19	24	Michigan	-15	9
Washington	17	5	New Mexico	-14	-6
Florida	16	8	Connecticut	-14	-17
Colorado	15	9	Missouri	-14	10
Utah	11	1	New York	-13	1
Delaware	10	3	Massachusetts	-13	1
Indiana	8	9	Oregon	-12	4
Nevada	8	9	Montana	-11	-16
Texas	6	-3	Kansas	-10	11
New Hampshire	5	5	New Jersey	-10	-4
California	1	-2	Tennessee	-10	2
Alabama	1	7	Illinois	-9	-1
Virginia	<1	-2	Pennsylvania	-9	-2
			Ohio	-8	7
			Iowa	-7	3
			Georgia	-5	-1
			Maryland	-5	-1
			Arizona	-5	9
			Minnesota	-4	1
			Alaska	-3	45
			West Virginia	-2	25

States in **boldface** are the 10 most populous.
Oklahoma and Wyoming did not provide data for 2005.

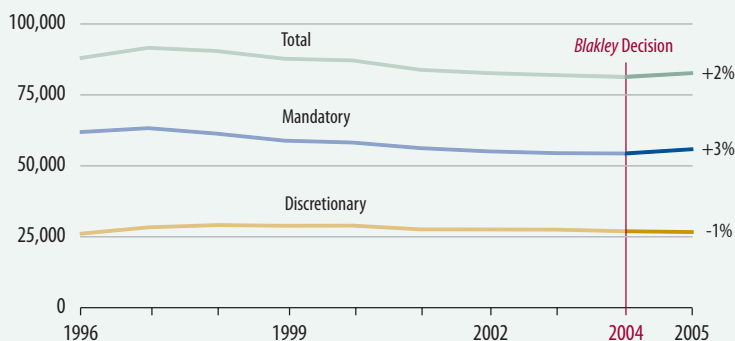
The Impact of *Blakely v. Washington* on State Appellate Court Caseloads

On June 24, 2004, the United States Supreme Court rendered its decision in the case of *Blakely v. Washington* (542 U.S. 296). The high court held that the right to a jury trial prohibited judges from enhancing criminal sentences based on facts other than those decided by the jury or admitted by the defendant. The result was an influx of cases involving the re-sentencing of criminals found guilty in previous state proceedings. While some of these defendants returned to the trial court for re-sentencing, many used *Blakely* as the basis for direct appellate review. The “*Blakely* bounce” appeared as a 3 percent increase in mandatory jurisdiction criminal appellate filings. In some courts, such as Alaska, the “bounce” was more apparent; much of the 56 percent increase of that state’s appellate caseload has been attributed to *Blakely*.

The *Blakely* decision reversed, perhaps only temporarily, a downward trend that had started in the mid-1990s in filings for appellate review in criminal cases. As noted in an extensive discussion of the issue in *Examining the Work of State Courts, 1999-2000*, the pre-*Blakely* decline was attributable to several key factors:

- Limiting the ability of defendants to appeal their convictions;
- Changing such requests for review from mandatory jurisdiction cases that the appellate courts were required to hear into discretionary jurisdiction cases the appellate court could opt not to entertain; and
- New processes by which a defendant’s sentence alone could be appealed.

Total Criminal Appeals Filed, 1996-2005



Note: Percentages shown represent the change from year 2004 - 2005.



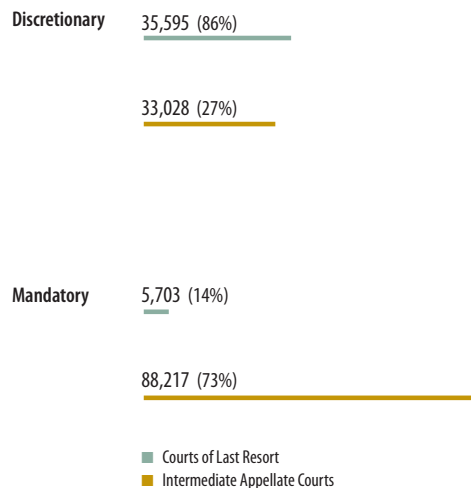
The ways in which cases are disposed in appellate courts include six discrete manners of disposition plus a residual "other" category. *Signed opinions* are typically longer and may be cited to as precedent. *Per curiam* opinions are not identified as having been written by any particular judge or justice. *Memoranda/orders* are shorter and tend to dispose of a case with little discussion of the facts or the law involved. *Pre-argument dismissals* are those in which the case is withdrawn or dismissed. *Transfers* to another court can be either removal of the case to a higher court, a different division or location of the same court, or the mov-

ing of the case from a higher court to a lower one. Many courts report the *denial of discretionary petitions* as a separate category, while others include them within the memo/order category of disposition. Finally, about half of the states listed in this table do not report a complete breakdown of their manner of disposition, and thus a large percentage of their dispositions are reported in the "other" category.

Courts of last resort tend to issue fewer signed or *per curiam* opinions; IACs may issue more opinions because they are often the only court to which the aggrieved party has a right of appeal. Moreover, because an IAC's opinion may later be examined by a COLR, judges in IACs are more inclined to explain their interpretation of the law for later review by the higher court.

While jurisdiction changes in the 1990s meant COLRs had more discretion in terms of the cases they took, the IACs found their mandatory jurisdiction

Total Mandatory and Discretionary Caseloads in COLRs and IACs in 21 States, 2005



increasing to compensate. In the 21 states included here, mandatory appeals filed in the IACs outnumber all other appeals in both IACs and COLRs combined.

Discretionary jurisdiction cases are those that IACs and COLRs may choose to hear. Discretionary cases often involve a two-step process. First, one party must

Manner of Disposition in COLRs and IACs in 20 States, 2005

State	Number of Justices	Total Dispositions	Opinions		Non-Opinion Dispositions					
			Signed	Per Curiam	Memo/Order	Pre-Argument Dismissals	Transferred	Denial of Discretionary Petitions	Other	
Courts of Last Resort										
Texas (Ct. of Crim. Appeals)	9	9,436	3%	2%			0%	15%	80%	
Virginia	7	2,990	5		3%	1%	0	90	2	
Louisiana	7	2,735	2	6	3	2	2	84	1	
Nevada	7	2,641	2	1	72	24				
Michigan	7	2,569	2		8	90				0
West Virginia	5	2,396	4	4	24	9	0	58	2	
Georgia	7	1,871	21		62	15	2			0
Colorado	7	1,451	6	0	94		0			
Tennessee	5	1,281	15	0	0	2		73	10	
Texas (Supreme Court)	9	1,142	8	4		4	0	75	8	
Indiana	5	1,125	10	7	83					
Oregon	7	1,015	7	0	24			69		
Hawaii	5	875	8		14	24	35			18
Arkansas	7	785	26	11		12	2	35	14	
Idaho	5	704	22	0	18	36	0			25
Utah	5	683	13	0	0	15	4			69
Delaware	5	554	11	2	76	10				1
Vermont	5	531	10	42	18	30	0			0
Alaska	5	432	23	12		29	0	32	4	
Rhode Island	5	323	24	21	5	48	0			2
Minnesota	7	230	46		25					29
Intermediate Appellate Courts										
Texas	80	12,058				28				72
Louisiana	53	7,883	30		10			52	8	
Michigan	28	7,853	2	1	44	22		29	2	
Oregon	10	3,267	12	5	34	40	0		9	
Virginia	11	2,936	17		14	69			0	
Georgia	12	2,839	56		23		1		20	
Colorado	16	2,542	68	0	0	32	0			
Indiana (Court of Appeals)	15	2,373	99		1		0		0	
Minnesota	16	2,230	62	0	5	29	0		4	
Arkansas	12	1,468	51	0	26	10	5	8	0	
Tennessee (Ct. of Crim. Appeals)	12	1,442	77	0	14	2		7	0	
Tennessee (Ct. of Appeals)	12	1,362	55	0	33	0		12	0	
Utah	7	1,028	13	9	41	33	3		1	
Idaho	3	512	39	57	0	1	0		4	
Hawaii	6	284	21		77	2	0		0	
Alaska	3	262	19		43	21	0	15	1	
Indiana (Tax Court)	1	127	43	0		56	1		1	

Note: Blank cells indicate that not all courts use the same categories.

NCS Resource



National Center for State Courts
Appellate Courts
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try to persuade the court to hear the case. If successful, the merits of the case are then examined by the court in much the same fashion as in a mandatory

jurisdiction case. However, most of the discretionary petitions filed in both IACs and COLRs are denied.

Total Discretionary Jurisdiction Petitions Filed and Granted in 20 States, 2005



COURTS OF LAST RESORT	Petitions Filed	Percent of Petitions Granted
MISSISSIPPI Supreme Court	423	30%
ARKANSAS Supreme Court	442	25
MINNESOTA Supreme Court	669	18
MARYLAND Court of Appeals	604	17
WEST VIRGINIA Supreme Court of Appeals	3,031	16
NEBRASKA Supreme Court	333	14
TEXAS Supreme Court	1,124	13
GEORGIA Supreme Court	1,243	11
MISSOURI Supreme Court	548	11
VIRGINIA Supreme Court	2,679	10
ALASKA Supreme Court	170	9
IDAHO Supreme Court	222	8
WISCONSIN Supreme Court	1,083	8
MONTANA Supreme Court	173	8
TENNESSEE Supreme Court	1,052	7
TEXAS Court of Criminal Appeals	1,639	7
OHIO Supreme Court	1,820	6
NORTH CAROLINA Supreme Court	547	6
LOUISIANA Supreme Court	2,392	5
ILLINOIS Supreme Court	2,234	4
CALIFORNIA Supreme Court	8,972	1
INTERMEDIATE APPELLATE COURTS		
TENNESSEE Court of Appeals	238	18%
LOUISIANA Courts of Appeal	5,324	16
TENNESSEE Court of Criminal Appeals	169	15
ARKANSAS Court of Appeals	135	12
VIRGINIA Court of Appeals	2,505	10
NORTH CAROLINA Court of Appeals	1,012	9
ALASKA Court of Appeals	51	6
MISSISSIPPI Court of Appeals	266	3
MARYLAND Court of Special Appeals	399	1

Notes from the Field

By practitioners – for practitioners

Notes from the Field is a new section of *Examining the Work of State Courts*, written by court practitioners. These short articles describe noteworthy efforts of courts and Administrative Offices of the Courts to improve the quality, use, and understanding of their data.

The inspiration for this new section was a roundtable discussion on data quality, data management, and utilization and reporting of court data organized by the Court Statistics Project. At this roundtable were representatives from ten state court research/statistics departments, a representative from the Bureau of Justice Statistics, and the information design expert who works closely on all CSP electronic and print publications.

This discussion was a first effort in creating enhanced communication between state court data specialists through the country. Among the common concerns that provided the basis for a rich discussion were

issues related to the implementation of the *State Court Guide to Statistical Reporting*, data validity, training and retaining personnel, and the difficulties associated with accurately and clearly presenting court data to non-technical audiences.

Notes from the Field represents our effort to reach a wider audience in this discussion, to promote the improvement in the quality of court data, broaden the use of sophisticated techniques for reporting that data, and thus enhance the use of court data in court management and policy decisions.

New Jersey Court Statistics: Making Every Picture Tell a Story

Contributed by

Mark Davies, Chief

Quantitative Research

New Jersey Administrative Office of the Courts

Charts make court data easier to read and digest, but creating data graphics to present data across courts or jurisdictions of various sizes can be particularly challenging. Significant differences in county sizes make it difficult to fairly and accurately compare all courts in a single picture. New Jersey has grappled with this issue in our statistics reporting, since the state's largest county is almost twenty times larger than its smallest. The following exhibits display recent New Jersey statistics and contain easy-to-construct charts that demonstrate how a data presentation can be improved to provide a picture of court activity that accounts for size.

Judges and administrators rely on New Jersey's rich set of trial court data to manage more than one million cases per year. The organizational context of this discussion of statistics can be briefly summarized as follows: New Jersey's state courts are located in its 21 counties. The 21 general jurisdiction courts are supplemented by 534 limited jurisdiction municipal courts. The Administrative Office of the Courts, working under the direction of the New Jersey Supreme Court, is responsible for the administration of the judicial branch throughout the state. New Jersey's combination of strong centralized policy-making and regional governance through its 15 vicinages has proven to be an effective framework for its judiciary.

The foundation of the statistical system is the collection of monthly aggregate reports of filings, dispositions, and pending cases for every county and every case type. Details about filings (new, reopened, reactivated, etc.), disposition types (trials, settlements, dismissals, etc.) and pending (by age of case) are very similar to the categories recommended in the *State Court Guide to Statistical Reporting*. Two specific approaches to understanding court data must be mentioned here. First, in addition to New Jersey expressing clearance as a percentage (clearance percentage) it also reports clearance in terms of numbers of cases (clearance). Second, New Jersey has established time standards by case type, and any case that is not disposed within that time period is classified as "backlog." New Jersey's courts have built a statewide dataset that contains over twenty-five years of monthly snapshots of activity.

In 2006, New Jersey's filings grew by 4 percent, the state achieved a net positive clearance of 2,175 cases, and the backlog decreased by a little less than 1 percent to 22,765 cases. Exhibit 1 displays three side-by-side vertical bar charts for filings, clearance, and backlog by county. The filings chart shows the number of cases for two years. Since the chart includes counties with large differences in filing volume (Essex had almost 150,000 cases and Hunterdon had less than 10,000 cases), the y-axis scale required to fit all courts on one chart makes the differences between 2005 and 2006 almost impossible to see, especially for the small counties. The

clearance chart is easy to read, but the backlog chart has the same problems as the filings chart: it is difficult to see the differences between 2005 and 2006.

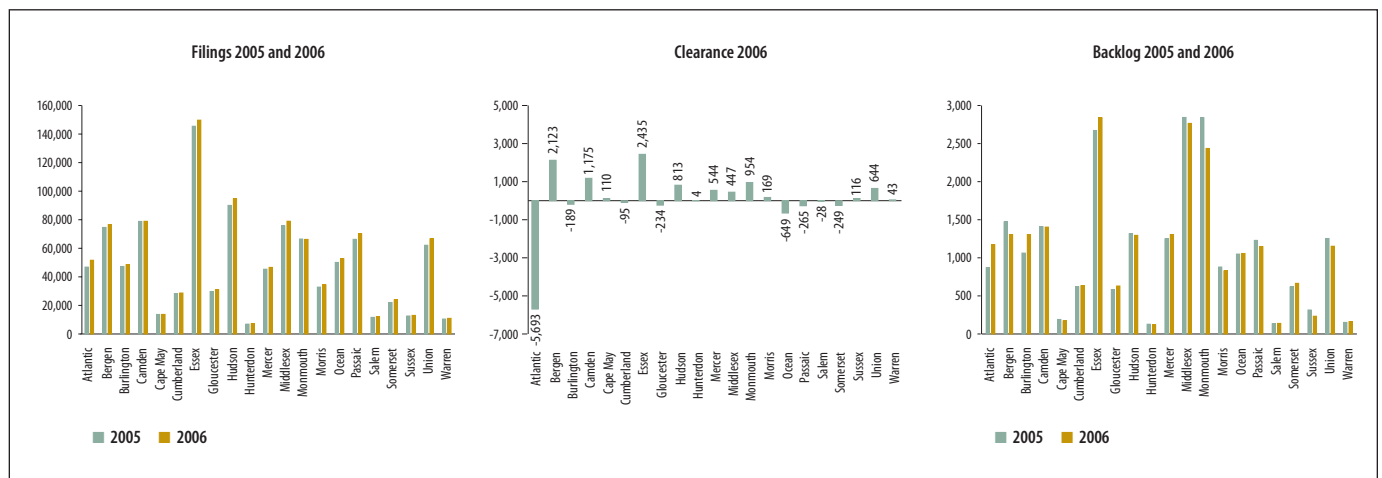
The overall picture in Exhibit 1 is accurate but does not clearly convey the story to the reader. Even though we are interested in the 2006 activity, the filings and backlog charts tell us more about the sizes of the counties than about what is happening within them.

Exhibit 2 (on the following page) improves the presentation by using filings and backlog growth and groups the information by county size, based on filings volume. The new picture provides an expanded view that quickly tells more compelling stories: 1) every medium county grew by at least 1 percent; 2) none of the small counties grew by more than 5 percent; 3) most of the large and small counties cleared their cases while most of the medium counties accumulated cases; 4) most of the large counties reduced backlog in 2006, while most medium counties had backlog growth; 5) Atlantic had the largest filing growth, accumulated the most cases, and had

the largest backlog growth (further investigation revealed this was due to mass tort activity); and, 6) Sussex had modest filings growth, the largest clearance of any small county, and the largest backlog reduction in the state.

Just as charts can be tailored for county size, statistical reports can be tailored for different audiences. New Jersey has many audiences, including trial court administrators, judges, managers, analysts, the Judicial Council, and the Administrative Council. Trial court administrators use a report that focuses on individual counties, with comparisons of performance across time. The Judicial Council (chief justice, assignment judges, presiding judge conference chairs, administrative director, and deputy director) uses a report that focuses on case types, with comparisons of performance across counties. The Administrative Council (trial court administrators and AOC directors) uses a report that focuses on backlog reduction, with comparisons of backlog statistics across time and across counties. Analyses that accompany New Jersey's monthly reports include sets of newly created charts each month. Since the reports are

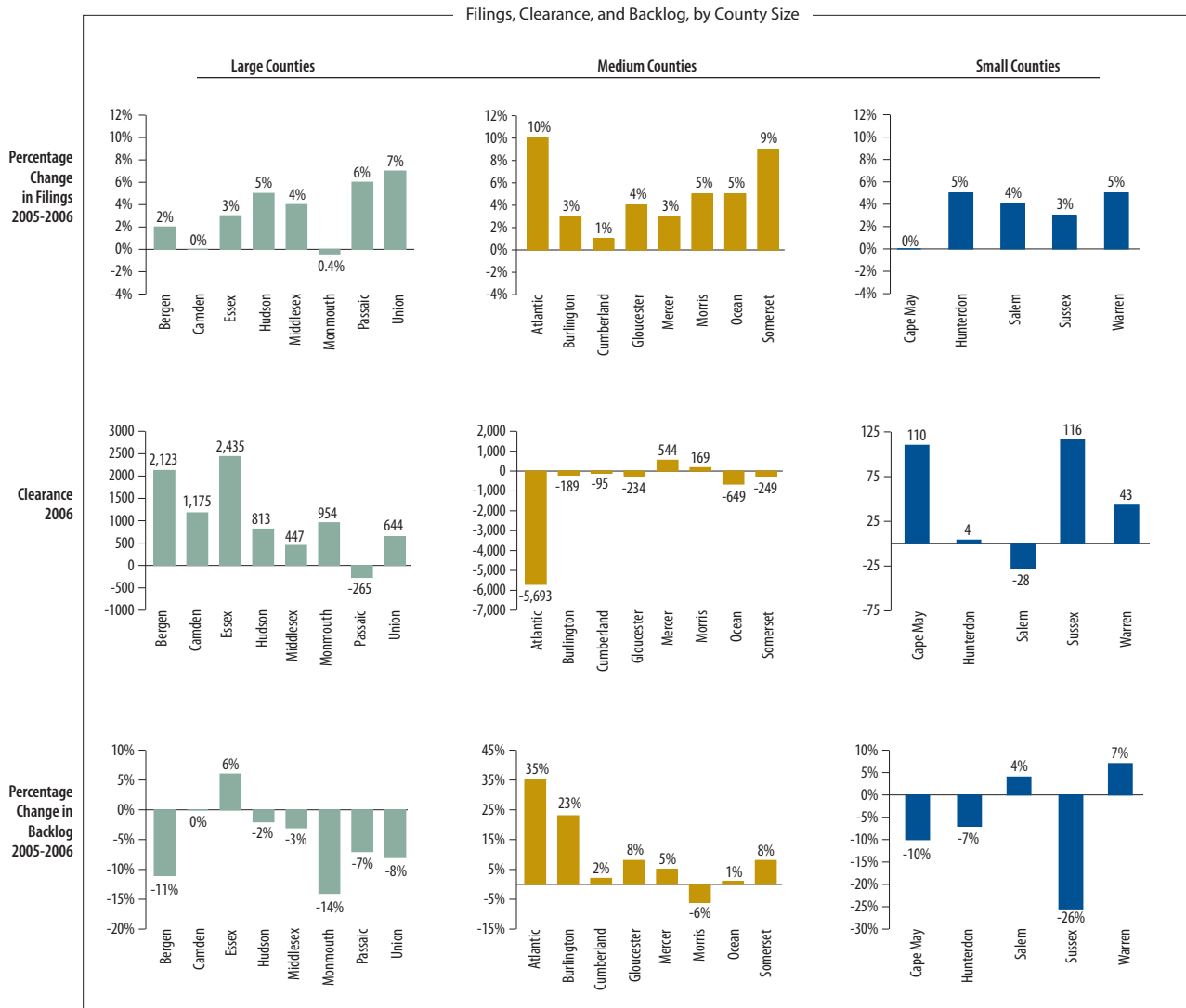
Exhibit 1



designed for specific audiences, the charts are carefully tailored for the audiences. The wide variety of charts that are presented each month with the regular reports allows judges and managers to continue to take fresh looks at the data.

Controlling for county size with the format below is one approach that we use to improve the way we tell important statistical stories to our readers and thus improve court management.

Exhibit 2



Contributed by

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Robert J. Dobbins, Court Research Analyst
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Creating standardized data collection practices in a non-unified court system presents many challenges. The first is to reach agreement among the jurisdictions on what data elements are considered critical, and agree on their precise definition and counting rules. Second, and often most important, is to find funding sources for the agreed-upon standards and technology requirements. In this article we describe the approach taken in Nevada to create a more comprehensive court statistics reporting system and create a statewide data model.

The Nevada judiciary is guided by the Nevada Supreme Court, which oversees nine judicial districts comprising seventeen district courts, forty-two justice courts, and seventeen municipal courts. Each of the trial courts reports their caseload statistics to the Administrative Office of the Courts (AOC). Geographically, Nevada is the nation's seventh largest state, and the area covered by the nine judicial districts is expansive. Las Vegas and Reno, the state's two major metropolitan areas, are separated by more than four hundred miles. Throughout most of the state, trial courts are in rural jurisdictions.

While the Nevada Supreme Court guides the state's judiciary, the judicial system is not unified; all counties and cities provide facilities and staff for the respective district, justice, and municipal courts. District courts function under a hybrid funding system, with the Supreme Court funding the district court judges, while staff and facilities are funded by the county.

In this environment, courts are also responsible for acquisition of their own case management systems, which are used for operational purposes and for reporting caseload statistics for the AOC. A variety of case management systems are currently in use throughout Nevada. Some courts do not have any case management systems (data collection is done manually).

On June 15, 1999, in recognition of the previous difficulties encountered in trying to facilitate statistical reporting by the trial courts, the Supreme Court issued Administrative Docket 295 (ADKT). The intent of that order, as stated therein, was that "sufficient information concerning the caseload of the Nevada Judiciary should be available to the Supreme Court, to the Legislature, to local governments, and to the public." Just two weeks after issuance of the ADKT, the Nevada judiciary began collecting and reporting standardized statistics. The project defined by this administrative docket and the Nevada Revised Statutes is known as the Uniform System for Judicial Records (USJR). Crucial to this project are the data dictionary that defines standards of the data elements collected and the reporting worksheets sent to the AOC on a monthly basis from each court.

Leading into the ADKT, the Supreme Court created a commission to review the technology in use by trial courts throughout the state and their reporting capabilities. Following this assessment, committees were formed to determine and define the appropriate data elements for statewide data collection of

court statistics. This first effort was known in Nevada as USJR Phase I. A separate, related effort was started to bring updated and more efficient technology to many of the Nevada courts, especially those in rural areas. To support local court operations and to promote more consistent and uniform reporting of caseload statistics, the AOC was tasked with selecting a case management system that would be sponsored and supported by the Administrative Office of the Courts. The state selected a vendor and product and offered support to local courts for adoption of the system, promoting the idea that a common case management system would benefit all courts; most courts agreed to adopt this system. The Supreme Court assured the trial courts that adopted this new, state-sponsored case management system that this system would be able to generate the required USJR statistics and that any future changes would be part of the support and maintenance agreement. With the appropriate technology and project management guidelines in place, Nevada began the phased development of its new model for statewide court statistics.

Phase I: Initial Statewide Data Collection

Prior to this standardized collection effort, Nevada had been one of a few states that did not provide comprehensive statistical information for analysis and publication by its own Administrative Office of the Courts or for reporting in the annual publications of the Court Statistics Project of the National Center for State Courts. Before the development of the USJR, only partial civil and family filings data were gathered from the general jurisdiction courts. For Phase I, Nevada trial courts agreed to submit data for caseload inventory (filings) and manner of disposition. These data are collected for each of our four main case categories – criminal (including traffic), civil, family, and juvenile.

As with all data collection projects, the aim to gather consistent, accurate, and comparable data proves to be no easy task. A couple key lessons became apparent shortly

after implementation. The first lesson is that the specification of an appropriate set of case types must be well defined, mutually exclusive, and exhaustive; that is, the case types must allow for the entire caseload to be represented accurately. We soon discovered some deficiencies in our initial data model. For example, we had divided the criminal case category into three subcategories: felony, gross misdemeanor, and misdemeanor cases, with case types of crimes against persons and crimes against property.

What we failed to realize was that we had not provided a reporting option for criminal offenses that person or property case types do not encompass, such as DUI/DWI cases, nor did we provide for a definitive "Other" category. As a result, early in our statewide data collection effort we were forced to choose between leaving a large number of criminal cases uncounted because they did not fit in these classifications, or forcing them up into these classifications but not using the data at this level. Rather than misclassify or omit cases, we chose to simply report in our annual report the gross totals at the highest levels, temporarily sacrificing our ability to make finer distinctions.

Other challenges included distinguishing non-traffic misdemeanors from traffic misdemeanors; these case types had been lumped together simply as criminal misdemeanors. We also faced the problem of defining and counting final dispositions on civil cases, some of which remain without a final disposition for six years or longer as a result of how the cases are processed.¹ Juvenile cases presented a similar set of issues when it was discovered that many jurisdictions processed these cases differently, again resulting in inconsistent counting.

Eventually, as we uncovered and addressed all of these issues, our originally scheduled

¹ In Nevada, judgments can be renewed every 6 years and the case is considered open (although adjudicated) until the judgment is paid or no renewal is received. Phase II modifications are expected to eliminate this final disposition category for the inactive caseload category.

date for phasing in the tracking of case related events and the status of pending cases had passed. Initially, these two enhancements were to be added during Phases II and III, respectively, of the expanded statistics collection. With the publication of the *State Court Guide to Statistical Reporting* (national model) and the growing reliance on USJR data by state and local governmental decision-making bodies, judicial branch leadership felt that Phase II should include both enhancements. A third phase was therefore no longer necessary.

Phase II: Enhancing the State Data Model

To initiate the enhancement of the state data model, the AOC extended invitations to a broad cross-section of judges, court administrators, and court clerks throughout the state to participate in the USJR Phase II Committee (Committee). This broad representation was critical and ensured that courts have a voice in the development of the expanded data model, have a chance to offer insights based on their court operations or case processing practices (where it affects counting), and resolve any inconsistencies in reporting. In this manner, court officials and representatives take ownership of the new standards and instantly become knowledge sources for their colleagues throughout the judiciary.

At the initial Committee meeting in February 2006, NCSC Court Statistics Project (CSP) staff provided invaluable assistance. One of their most useful contributions was a comparison of the national model with the USJR reporting dictionary and reporting worksheets.² Overall, USJR compared favorably in terms of case subcategories for tracking filings and associated disposition types. However, as mentioned previously, our criminal reporting was confined to only a few case types and lacked

much of the depth of the national model (see the table on the following page). The comparison provided great insights into the strengths and weaknesses of USJR.

Following this detailed presentation of the national model, extensive discussion ensued regarding the Phase I data. The Committee decided that the best plan of action would be to divide into subcommittees by jurisdiction and case category. The subcommittees would make the initial determinations for their assigned case category (criminal, civil, family, and juvenile) and propose specific reporting requirements to the Committee. The criminal category was selected as the first to be reviewed by the subcommittees, largely because the reporting in this category was furthest from the national model. The benefits of increased reporting in this category would also be the greatest.

The review process for criminal took about one year, which was not unexpected considering the differences between the two models. During this time, CSP staff at the NCSC received iterative drafts and provided comments and clarifications on specific issues. The end result of applying the national model to the USJR is shown below. Differences between the USJR and the national statistical model are now minor and based on specific requirements of the Nevada Revised Statutes or Supreme Court AOC policies for data collection.

Ultimately, the timing of the NCSC's *State Court Guide to Statistical Reporting* was perfect for Nevada. The publication was released as we were preparing to launch the Phase II effort to expand the data collection and reporting elements. The definition of a national model helped us move more quickly to supplement our initial statewide data collection. By adopting the standards (i.e., counting rules and data definitions) from the national model, the Nevada trial courts will gain greater insights into their caseload and caseflow management practices, and will begin to benefit from being able to compare themselves in a meaningful way with other courts across the state and throughout the country.

² It is important to recognize that regardless of a court's ability to provide statistics electronically, the AOC does not have authority to pull data from a court's database or case management system. This necessitated the creation of worksheets that could be filled in locally and submitted monthly to the AOC.

Previous Nevada Criminal Case Types	NCS State Court Guide to Statistical Reporting Case Types	Revised Nevada USJR Criminal Case Types
Felony Death Penalty Crimes Against Persons Crimes Against Property	Felony Person Domestic Violence Elder Abuse ¹ Property Drug Weapon Public Order Motor Vehicle – DUI Motor Vehicle – Reckless Motor Vehicle – Other Other Felony	Felony Death Penalty Crimes Against Person(s) Domestic Violence Elder Abuse Child Abuse Protection Order Violation Crimes Against Property Drugs Weapons Motor Vehicle – DUI Motor Vehicle – Reckless Driving Motor Vehicle – Other Public Order Other Felony
Gross Misdemeanor Crimes Against Persons Crimes Against Property	<i>Not a Subcategory for National Statistical Reporting</i>	Gross Misdemeanor Crimes Against Person(s) Domestic Violence Elder Abuse Child Abuse Protection Order Violation Crimes Against Property Drugs Weapons Motor Vehicle – Other Public Order Other Gross Misdemeanor
Misdemeanor Non-traffic Traffic	Misdemeanor Person Domestic Violence Elder Abuse Property Drug Weapon Public Order Motor Vehicle – DUI Motor Vehicle – Reckless Motor Vehicle – Other Protection Order Violation Other Misdemeanor	Misdemeanor – Non-traffic Crimes Against Person(s) Domestic Violence Elder Abuse Child Abuse Protection Order Violation Crimes Against Property Drugs Weapons Public Order Other Non-Traffic Misdemeanors Misdemeanor – Traffic Motor Vehicle – DUI Motor Vehicle – Reckless Driving Traffic

¹Elder Abuse will appear as a case type under the Criminal category in a revision of the *State Court Guide to Statistical Reporting* due for release in late 2007.

Process for Implementation

As each Phase II sub-committee completes their review of case types in their assigned case category, the Court Administration Committee of the Judicial Council of the State of Nevada reviews and recommends approval to the Nevada Supreme Court. The Supreme Court has final approval before full implementation. As each case category receives approval from the Court Administration Committee, the related data dictionary and reporting

worksheets for that case category are provided to the courts to begin the process for modification of existing case management systems.

The three remaining case categories (civil, family, and juvenile) will be examined using a process similar to that of the criminal category.

As each case category is revised and approved by the Supreme Court, the AOC will begin training court staff on the data definitions,

case counting rules, and reporting procedures. We expect to present this training on a regional basis to maximize attendance and participation of local court officials and staff. We are also poised to take advantage of opportunities to explain and educate the courts about the content and benefits of the new data model at conferences of judges and court staff.

Lessons Learned

The expertise mobilized by our working committees proved vital to our success. One instance where this was most clear arose when discussing the case types of Nevada's intermediate criminal case subcategory called gross misdemeanors. Most states, and the national model, do not use this designation. The experience of some committee members with law enforcement backgrounds facilitated the identification of criminal offenses in which gross misdemeanor case types were or were not appropriate. In another instance, a limited jurisdiction court staff attorney who had participated in the design of standardized forms for Nevada protection orders used this knowledge to help fine tune the definitions and location of protection order violations. Finally, we benefited from having CSP staff from the NCSC help launch the project and provide review throughout the process. Their participation helped our courts understand the benefits of uniform reporting at the local, state, and national levels.

Plans for Remaining Case Categories

We expect the timeframe for completion for the remaining categories to be shorter, since fewer substantive changes are needed. In addition, many of the committee members have gained experience in the process through their work on the criminal category. We hope to complete the remaining categories of the Phase II project in late 2008 or early 2009.

The effort for the family and juvenile case categories began in summer 2007, following the end of the State biennial legislative session. These general jurisdiction subcommittees have been reassembled and provided an initial

draft proposal by AOC staff, which incorporates the national model into the Nevada model. Family and juvenile working groups will proceed simultaneously, with the aim of completing their work in six to nine months.

Immediately following the conclusion of the work on the family and juvenile categories, modification of the civil case category will begin. Again, review time will likely be minimal due to the committee members' familiarity with the process. For the civil category, we expect this to take perhaps only six months. The final data dictionary and reporting worksheets will be presented to the Judicial Council of the State of Nevada and the Supreme Court for approval. Court staff will receive training before the new forms and data elements are required by the AOC.

Conclusion

USJR statistics have become an excellent tool for demonstrating judicial accountability to the public and to legislative bodies at the state and local levels. Moving forward, these data will also provide the underlying data required for workload assessment and performance measurement for internal court management. Statistical data also provide a solid foundation to enhance or justify budget requests to the local and state legislative bodies. The first annual report of the Nevada judiciary was published in 2000 and was based on the Phase I data model. Even though these data are not as rich as those being developed in Phase II, the subsequent annual reports are often referred to by the Legislature when evaluating bills and budgets. The judicial branch in Nevada is already reaping the benefits of its data improvement effort; an outcome we expect will only be improved upon as we complete the elaboration of our data model and court statistics reporting system.

Good Data Makes for Good Management: The Massachusetts Court Metrics Project

Contributed by

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Administration and Management
Administrative Office of the Trial Court

Paul Burke, Director
Court Operations for the Housing Court Dept.
Trial Court of Massachusetts

The Massachusetts Trial Court initiated a performance measurement project in 2006 known as the Court Metrics Project. The purpose was to improve the administration of justice in Massachusetts through implementing performance measures to manage the courts more efficiently and effectively. The Administrative Office of the Trial Court decided to focus on promoting the more timely and expeditious disposition of cases and adopted four relevant CourTools measures—clearance rate, time to disposition, age of pending caseload, and trial date certainty—and applied these to all seven court departments. Chief Justice for Administration and Management Robert A. Mulligan and the chief justices of the seven court departments provided executive leadership to the project, with guidance and support from the Court Management Advisory Board, consisting of leaders from the business, academic, and legal communities. Implementation and technical assistance oversight was provided by the Court Metrics Working Group, comprised of representatives of each court department. The effort entailed establishing time standards for all court departments, adopting common measures of court performance, setting specific goals for each measure, and publishing regular reports on progress. The full results of this statewide project are reported in “[Enhancing the Delivery of Quality Justice](#)”.

To better understand how Massachusetts approached the Court Metrics project and implemented statewide performance measures, the Court Statistics Project (CSP) asked **Chief Justice Robert A. Mulligan** to respond to the following questions.

The Trial Court went forward with its metrics project prior to the full implementation of the new statewide case management system. Can you explain why you took that approach, and what you learned about your current and future data as a result?

There was considerable discussion at the outset on whether to go forward with the metrics project in advance of the full implementation of MassCourts, our new, comprehensive case management system. MassCourts had been implemented in only one of the seven Trial Court departments—the Land Court. The remaining six departments relied on their own separate legacy computer systems of varying degrees of sophistication.

Some were inclined to delay the implementation of the court metrics project until MassCourts was fully available in all court departments so that we could produce uniform and complete metrics data. However, acknowledging Voltaire’s admonition that “the best is the enemy of the good” (interestingly, also the operating principle of General George S. Patton), we decided to proceed with the court metrics project

and to begin compiling court metrics data in 2006. We made this decision with an understanding of the limitations of the existing legacy systems. While reliance on the legacy systems placed some constraints on an ideal implementation of the court metrics project, the decision to proceed proved fruitful.

In the District Court department, our largest, implementation of the metrics project coincided with the rollout of MassCourts. The convergence of these two developmental efforts created a dynamic synergy that benefited both initiatives. The work on the court metrics project informed the development of MassCourts, serving to improve the final product—especially with respect to reporting capabilities. At the same time, MassCourts provided accurate and systematic metrics data for the District Court when its rollout was completed.

You note in your preface to the Report that this metrics initiative is transforming the culture of the Trial Court. Can you describe the cultural shift that is taking place, and the view of data (i.e., the value of good data and its uses) that is part of that?

The purpose of the metrics project was to improve the quality of justice in Massachusetts by achieving a more timely and expeditious disposition of cases. We had earlier established criminal and civil time standards for all seven court departments. But we realized that the establishment of time standards would be a hollow achievement unless we could measure the extent to which the flow of cases was consistent with the time standards. Fortuitously, the NCSC had just published CourTools and we adopted the four CourTools metrics that

focused on timeliness and expedition as a common set of metrics for all seven court departments. The availability of CourTools was a tremendous benefit because it saved us significant developmental work and ensured that our metrics would be consistent with national norms.

The transformation of the Trial Court culture is associated with the systematic compilation and dissemination of empirical data designed to

measure progress toward stated goals. There is a new sense of accountability and transparency in the Trial Court.

We now strive to formulate policies and make management decisions based on objective data, rather

than intuition or anecdotes. Dissemination of the metrics report throughout the Trial Court and to the Legislature and beyond reflects the new transparency. I believe that this represents a radical departure from our traditional court practice.

We noticed that the quality of the metrics data improved with each quarterly report as we used the information to inform decisions. Departmental chief justices “drilled down” into the metrics database and produced management reports that were more specific than the “dashboard” reports of the Trial Court as a whole. In the area of timeliness and expedition, we began to experience the impact of the adage that “what gets measured gets done.”

“The approach that all Trial Court departments have embraced in this initiative represents a radical departure from traditional court practice. The new approach reflects the commitment to transforming the culture of the Trial Court to ‘a culture of high performance and accountability,’ in which management decisions and policies are informed by performance-based data, rather than anecdotes and intuition.”

Enhancing the Delivery of Quality Justice

Metric 2: Time to Disposition by Court Department, Calendar Year 2006

Court Department	Baseline	Within Time Standard	After Time Standard	Total	% Within Time Standard
Boston Municipal					
Civil	91.0%	37,896	5,394	43,290	87.5%
Criminal	93.0%	31,372	1,657	33,029	95.0%
Sub-Total	92.0%	69,268	7,051	76,319	90.8%
District Court					
Civil	90.7%	59,408	2,234	61,642	96.4%
Criminal	92.0%	130,613	11,231	141,844	92.1%
Sub-Total	93.2%	190,021	13,465	203,486	93.4%
Housing Court					
	44.9%	32,176	70,814	102,990	31.2%
Juvenile Court					
Civil	72.3%	13,172	4,903	18,075	72.9%
Criminal	72.0%	24,943	7,492	32,435	76.9%
Sub-Total	72.1%	38,115	12,395	50,510	75.5%
Land Court					
	39.0%	1,702	1,630	3,332	51.1%
Probate and Family Court					
	76.4%	26,151	9,859	36,010	72.6%
Superior Court					
Civil	50.0%	12,890	11,117	24,007	53.7%
Criminal	28.0%	1,654	3,859	5,513	30.0%
Sub-Total	47.0%	14,544	14,976	29,520	49.3%
Total	78.5%	371,977	130,190	502,167	74.1%

You decided to set some very aspirational goals for each of the metrics. Why did you take that approach? How did you determine how high to set the goal? What were the challenges and benefits of taking that approach?

We wanted to set goals that represented a “stretch” for the Trial Court so that we could have a noticeable impact on the timely disposition of cases. We also wanted to have a common set of goals for all departments. For example, for pending cases beyond the disposition date set by the time standards, we set an ambitious, common goal of reducing the number of cases in that category by 33 percent. Bear in mind that this is a “moving target” because some cases were moving into the “aged” category on a daily basis. For some departments, the number of aged cases was modest; for others, it was considerable; but, for all it was a shared goal of a 33 percent reduction.

We recognized that there was a risk associated with setting such ambitious goals.

The chances of falling short on some of the goals were real and adverse reactions were anticipated. We found that the very exercise of setting and promulgating the goals – goals that were not easily attainable – was a positive process that infused energy into the metrics project. We promoted the notion that falling short of a goal did not constitute failure. And so we set aspirational goals based on our experience and a limited amount of existing data. Incidentally, I would note that we reached agreement on our aspirational goals more readily than we did on our ultimate commitment to full transparency on the final metrics report.

The project was driven in part through quarterly reports of results. Who reviewed and responded to those reports?

An important component of the court metrics project was the production of quarterly reports. These brief statistical reports took

the form of “dashboard metrics” – summary statistics that monitor court system performance at a high level. The quarterly reports provided a common set of information across all court departments on a uniform set of performance measures for the first time in the history of the Trial Court. The departmental chief justices and I reviewed the quarterly reports and discussed the policy implications. These quarterly reports were also regularly reviewed by the Court Management Advisory Board (CMAB), a group of prominent business, legal, and academic leaders, established by statute to assist in improving the management of the courts. The CMAB made many thoughtful suggestions that enhanced the metrics project.

One policy decision that was made after review of the second quarterly report was to place an extra emphasis on the reduction of cases that were beyond the disposition date set by the time standards because we agreed that this was an area of special concern within the Trial Court and beyond. This resulted in a substantial decrease in the number of aged cases in most departments and a striking decrease in some departments. The latter sharp reduction was affected by the effort to identify cases in the system that had actually been disposed earlier, but remained open on docket books. This “cleanup” effort, promoted by the project, resulted in much improved data quality in the affected departments.

We also learned of the interrelationships among the CourTools metrics. The emphasis on reducing the aged cases had a positive effect on that metric and on the clearance rate. But it adversely affected the metric pertaining to the number of cases disposed within the time standards. We found that it is important to take a holistic approach to the four metrics on timeliness and expedition and to consider the four CourTools metrics in combination.

What advice would you give other jurisdictions that are considering undertaking performance measurement in their trial courts?

I well recognize that court systems in other states are different from Massachusetts, and each state has its own issues and challenges to address. So I would not presume to give advice to other jurisdictions.

However, it was important for us to take the leap – to launch the project with the commitment to full transparency without any pilot program or practice period. We recognized that conditions would probably never be ideal and decided to forge ahead. Once we made that crucial decision, and those who work in our system knew that we were committed to it, we experienced excellent cooperation and, indeed, a gratifying commitment to the project by those who toiled in the trenches to make this initiative a success.

The Monan Committee

Convened by Supreme Judicial Court Chief Justice Margaret H. Marshall to “provide an independent perspective on management in the state’s courts and recommendations for improvement” and chaired by Boston College Chancellor J. Donald Monan, S.J. (and popularly known as the Monan Committee), this widely respected group of business and academic leaders crafted a comprehensive blueprint for achieving managerial excellence in the Trial Court. The Monan Committee, while praising the quality of justice delivered, identified the need to “create a culture of high performance and accountability” in the Trial Court – particularly as it relates to the more timely and expeditious disposition of cases.

Spotlight on the Housing Court Department

Although all seven court departments in Massachusetts participate in Court Metrics reporting, it is useful to capture more foundational detail on how Court Metrics evolved by examining one specific department—the Housing Court. The Housing Court is a limited jurisdiction court that has jurisdiction over the use of any real property and activities conducted thereon as such use affects the health, welfare, and safety of any resident, occupant, user, or member of the general public and which is subject to regulation by local and state rules and statutes. This jurisdiction extends to almost all areas that relate to residential housing. For example, the Housing Court has zoning jurisdiction and can address general nuisance problems that may afflict homeowners within a neighborhood. In landlord-tenant matters, the court has jurisdiction over all contracts, torts, and equity matters. The Housing Court Department also has jurisdiction over the Consumer Protection statute and criminal jurisdiction for some misdemeanor and ordinance violations. The following interview with **Paul Burke**, Director of Court Operations for the Housing Court Department, describes the Housing Court's experience implementing Court Metrics.

Massachusetts started its Metrics Project by adopting goals for each of the four measures. How did your management team in the Housing Court decide where to start with those four measures, and which measure did you decide to focus on first?

We looked at the four measures that were chosen by the Chief Justice for Administration and Management Robert A. Mulligan. Once he set the policy and the goals, we brought together the key players from each of our courts within the Housing Court Department, gave them an overview of the project, and asked them to dedicate a certain amount of staff within each courthouse to complete this project.

Anecdotally, we knew here in the Housing Court that we had a number of cases that were still listed as pending but which had in fact been adjudicated, so as a result we concentrated on Metric I, which is clearance rate. We suspected that the cases had not been properly coded as having been disposed, so we began by establishing a clear definition of what disposed means. We concentrated on this measure initially because we thought it would show the most progress.

The Housing Court achieved a 236 percent clearance rate for calendar year 2006, which is clearly exceptional for the reasons that you noted. How did the court managed to clean up that data and achieve that result?

It became a basic, simple process to train people within the courthouses to pull a certain number of cases during the course of each day, review them and go back into the data management system and properly code them. We convinced people that if they did a little bit of work on the cases each day, by the end of the year we would see significant progress. This turned out to be true, and gave people confidence that we could manage this. It also reinforced the idea that, moving forward, they could

ensure our progress by making sure the cases were properly coded.

What was the judges' reaction to the whole performance measurement effort initially and how did you bring them onboard and keep them involved?

Initially I think there was some apprehension. The concern was that we were measuring simply mathematical output of cases, rather than concentrating on the quality of justice. But once they realized that we had set definitive time standards for each case type, and that we did so in a collaborative effort that everybody, including all the judges, had the opportunity to weigh in on, then it became a question of reinforcing that with the clear understanding that there's always going to be exceptions to the rule.

The most important issue there is to make sure that you've got the leadership from on high; and I can tell you that the leadership for the Metrics Project in Massachusetts came from the highest levels. The Supreme Judicial Court Chief Justice Margaret H. Marshall, Chief Justice for Administration and Management Robert A. Mulligan, and our own Housing Court Department Chief Justice Steven D. Pierce all continually reinforced the concept that this was not a one-time deal, this was something that we were going to be looking at for the rest of time.

In 2006 the state-wide goal was to reduce the number of cases pending beyond the time standards by a rather bold 33 percent. How did the Housing Court double that goal?

As I said, that was because we were dealing with many old cases. Quite frankly there was some concern that it wasn't fair to include those cases, but in hindsight I think that was a bold decision by Chief Justice Mulligan and I think it made us pay a little more attention to that entire caseload out there, not just cases filed since the implementation of time standards. It forced us to look at the entire caseload and I think in the long run that's to our benefit.

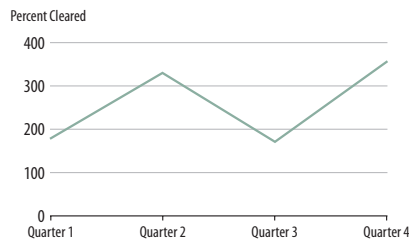
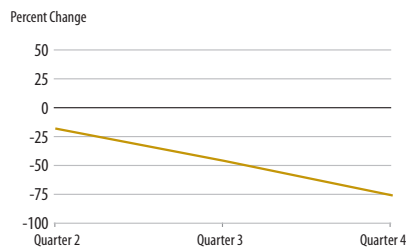
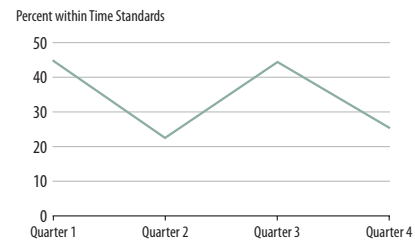
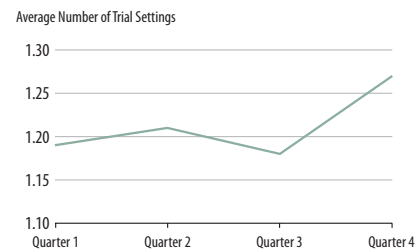
The fourth measure that Massachusetts adopted was trial date certainty. By the end of 2006, the Housing Court had achieved the best ranking on that measure. How did you accomplish that? Did you find that your data allowed you to accurately count these trial settings?

Initially, we found some data quality issues. We found that many of our people weren't necessarily correctly coding cases when they were actually disposed by trial. Once we made that discovery, and we gave some remedial training to people as to how they should properly code these events, the quality of information drastically improved.

As you look back over the calendar year of 2006, how were you able to build and sustain the momentum and keep the judges and court staff informed and involved?

At every opportunity we reinforced the importance of this project. We hold two state-wide conferences of all our key players from our courts and we always made sure that that the Metrics Project was on the agenda. At those conferences we would have representation from the chief justices that I mentioned before, and each one of them always underlined this message.

We also created quarterly reports that showed the progress of each of our courts, in each metric, broken out by each case type. This gave us the ability to identify, by a particular case type, by a particular metric, where areas of concern might be. By producing those reports within a two-to-three week period and sharing them with each courthouse, it gave court staff better than ten weeks in the existing quarter to concentrate on a certain area. And we would go out to each courthouse, review their metrics with them, and decide on the specific area that, for the next eight to ten weeks, they would concentrate on. The other benefit of producing those reports is that it actually produced somewhat of a healthy competitive spirit among the courthouses; they would compete against their colleagues across the state in a particular case type to achieve the best possible results.

Housing Court, Quarterly Summary, Calendar Year 2006**Metric 1: Clearance Rate****Metric 3: Number of Pending Cases Beyond the Time Standards****Metric 2: Time to Disposition****Metric 4: Trial Date Certainty**

The ability to make use of performance measures rests on data that is reliable, consistent, and of high quality. What will be the key to sustaining the kind of progress that you've made with respect to data quality and data definitions?

I think it's important to come up with uniform definitions and to constantly reinforce them with all your people. I can assure you from my perspective that this will be part of our semiannual Housing Court conferences; we will always have something on the agenda to this effect and

"For the first time in Trial Court history, civil and criminal time standards are in place in all departments; common goals and uniform metrics have been adopted for all departments; and systematic performance-based reports are periodically generated for all departments."

Enhancing the Delivery of Quality Justice

we will always reinforce those things that we've already established and reexamine things that may need to be reestablished. This is not static; we will be redefining what time standards should be and reevaluating what our goals should be.

As we move forward to our new Mass-Courts statewide case management system, our hopes are that this will allow us to capture more information to examine our case management practices more closely with additional reports and more detailed breakdowns.

What advice would you give to courts contemplating making performance measurement part of their court management approach?

Don't be afraid. If you continue to come up with excuses as to why this is not the best time to do it, you'll develop those excuses every single quarter, year, and never do it. Jump into it, find out where you are. If you're open and honest and release these reports, people will realize that you're trying to do the right thing. Once that information's available and you can analyze it, make a plan as to how you can improve.

Appendices

Index of States Included in Section Graphics

Court Statistics Project Methodology

State Court Caseload Statistics, 2006

CourTools

Index of States Included in Section Graphics

	AL	AK	AZ	AR	CA	CO	CT	DE	DC	FL	GA	HI	ID	IL	IN	IA	KS	KY	LA	ME	
Trends																					
Total Incoming Caseloads in State Courts, Unified/General Jurisdiction Courts	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	
Total Incoming Caseloads in State Courts, Limited Jurisdiction Courts	•	•	•		•		•		•	•	•	•		•		•	•	•		•	
Total Incoming Civil Caseloads, Unified/General Jurisdiction Courts	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	
Total Incoming Civil Caseloads, Limited Jurisdiction Courts	•	•	•				•	•		•	•	•		•				•	•		
Contract, Unified/General Jurisdiction Courts				•			•					•								•	
Real Property, Unified/General Jurisdiction Courts						•	•					•								•	
Tort, Unified/General Jurisdiction Courts		•	•	•		•	•			•		•	•	•			•			•	
Automobile Tort, Unified/General Jurisdiction Courts		•		•	•	•			•		•										
Medical Malpractice, Unified/General Jurisdiction Courts				•			•														
Product Liability, Unified/General Jurisdiction Courts							•			•											
Small Claims, Unified/General Jurisdiction Courts						•	•		•				•	•	•	•	•			•	
Small Claims, Limited Jurisdiction Courts	•	•	•	•		•				•		•	•	•				•			
Probate/Wills/Intestate, Unified/General Jurisdiction Courts		•	•	•		•		•	•	•			•	•	•	•	•	•			
Guardianship, Unified/General Jurisdiction Courts					•	•		•	•	•		•	•	•			•				
Total Incoming Domestic Relations Caseloads, Unified/General Jurisdiction Courts	•	•	•	•	•	•	•		•	•	•	•	•	•	•	•	•	•	•	•	
Total Incoming Domestic Relations Caseloads, Limited Jurisdiction Courts	•		•										•	•					•		
Divorce, Unified/General Jurisdiction Courts		•	•	•	•	•	•			•		•	•	•	•	•	•	•	•	•	
Custody, Unified/General Jurisdiction Courts						•														•	
Support, Unified/General Jurisdiction Courts	•						•		•	•										•	
Adoption, Unified/General Jurisdiction Courts		•	•	•		•			•			•	•	•	•		•			•	
Paternity, Unified/General Jurisdiction Courts					•		•		•			•		•		•	•	•		•	
Protection/Restraining Orders, Unified/General Jurisdiction Courts			•	•			•		•	•		•		•	•	•	•	•		•	
Protection/Restraining Orders, Limited Jurisdiction Courts			•					•					•	•				•			
Total Incoming Criminal Caseloads, Unified/General Jurisdiction Courts	•	•	•	•	•	•	•	•	•	•		•	•	•	•	•	•	•	•	•	
Total Incoming Criminal Caseloads, Limited Jurisdiction Courts	•	•	•		•		•					•	•	•	•	•	•	•	•	•	
Felony, Unified/General Jurisdiction Courts	•	•	•	•	•	•	•			•		•	•	•	•	•	•	•	•	•	
Misdemeanor, Unified/General Jurisdiction Courts			•	•	•							•	•	•	•	•	•	•	•	•	
Misdemeanor, Limited Jurisdiction Courts			•						•	•		•	•	•	•	•	•	•	•	•	
Total Incoming Juvenile Caseloads, Unified/General Jurisdiction Courts	•	•	•	•	•	•			•	•		•	•	•	•	•	•	•	•	•	
Total Incoming Juvenile Caseloads, Limited Jurisdiction Courts	•						•					•	•	•	•	•	•	•	•	•	
Delinquency, Unified/General Jurisdiction Courts				•			•		•			•	•	•	•	•	•	•	•	•	
Delinquency, Limited Jurisdiction Courts								•												•	
Dependency, Unified/General Jurisdiction Courts			•	•	•	•				•	•									•	
Dependency, Limited Jurisdiction Courts							•						•							•	
Status Offense, Unified/General Jurisdiction Courts				•			•		•			•			•					•	
Status Offense, Limited Jurisdiction Courts																				•	
Total Incoming Traffic/Violations Caseloads, Unified/General Jurisdiction Courts						•						•	•	•	•					•	
Total Incoming Traffic/Violations Caseloads, Limited Jurisdiction Courts			•			•		•		•					•					•	
Parking Violations, Unified/General Jurisdiction Courts			•									•								•	
Ordinance Violations, Unified Jurisdiction Courts						•			•					•			•				
Ordinance Violations, Limited Jurisdiction Courts			•			•				•		•									
Total Appearances in Trends Section	13	8	26	20	13	20	19	12	15	21	5	21	22	11	26	10	17	9	23	11	

MD	MA	MI	MN	MS*	MO	MT	NE	NV	NH	NJ	NM	NY	NC	ND	OH	OK*	OR	PA	PR	RI	SC	SD	TN	TX	UT	VT	VA	WA	WV	WI	WY*	Total
.	45
.	35
.	43
.	31
.	13
.	14
.	30
.	15
.	9
.	8
.	19
.	23
.	20
.	14
.	36
.	17
.	35
.	7
.	13
.	27
.	22
.	23
.	12
.	32
.	20
.	28
.	18
.	15
.	33
.	14
.	18
.	9
.	17
.	10
.	12
.	7
.	16
.	20
.	9
.	5
.	6

10 16 19 13 9 18 12 7 7 22 19 22 20 14 21 23 0 22 12 11 21 5 6 16 18 21 19 11 25 22 17 0

Index of States Included in Section Graphics, continued

	AL	AK	AZ	AR	CA	CO	CT	DE	DC	FL	GA	HI	ID	IL	IN	IA	KS	KY	LA	ME	
Overview																					
Incoming Caseload Composition in State Courts, 2005 (in millions of cases)	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•
Total Incoming Cases in State Courts, by Jurisdiction, 2005 (in millions)	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•
Full-time Judges in Unified and General Jurisdiction Courts, 2005	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•
Judicial Officers in State Trial Courts, by Jurisdiction, 1996-2005	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•
States That Reported Reopened/Reactivated Caseloads in One or More Case Categories, 2005	•		•	•	•				•	•	•			•			•		•		
General Jurisdiction Courts Reporting Pending Caseloads, 2005 (Civil)			•	•			•		•			•	•	•	•		•				
General Jurisdiction Courts Reporting Pending Caseloads, 2005 (Domestic Relations)			•	•			•		•			•	•	•	•		•				
General Jurisdiction Courts Reporting Pending Caseloads, 2005 (Criminal)			•	•			•		•			•	•	•	•		•				
General Jurisdiction Courts Reporting Pending Caseloads, 2005 (Juvenile)			•	•			•		•			•	•	•	•		•				
General Jurisdiction Courts Reporting Pending Caseloads, 2005 (Traffic)			•	•			•		•			•	•	•	•		•				
Total Appearances in Overview Section	5	4	9	9	5	4	9	4	10	5	5	9	9	10	9	4	8	4	5	4	
Civil																					
Incoming Civil Cases per 100,000 Population, 1996-2005	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•
Per Capita Incoming Civil Case Rates, 2005	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•
Incoming Civil Caseloads and Rates, 2005	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•
Reopened/Reactivated Civil Caseloads in General Jurisdiction Courts in 14 States, 2005									•	•				•			•				
Civil Clearance Rates in Unified and General Jurisdiction Courts in 37 States, 2005	•		•	•	•	•	•	•	•	•		•	•	•	•		•	•			
Incoming Civil Caseload Composition in 7 Unified Courts, 2005							•										•	•			
General Civil Caseload Composition in 22 Unified and General Jurisdiction Courts, 2005			•			•	•					•				•	•	•			
Incoming Tort Cases and Rates in 32 States, 2005	•		•	•		•	•		•	•		•	•	•	•	•	•	•	•		•
Incoming Tort Caseload Composition in 8 Unified and General Jurisdiction Courts, 2005							•					•				•					
Incoming Tort Caseloads in Three General Jurisdiction Courts, 1996-2005																					
Incoming Medical Malpractice & Product Liability Cases in Mississippi Cir. Court, 1997-2005														•							
Composition of Malpractice Caseloads in 6 Unified and Gen. Jurisdiction Courts, 2005							•					•									
Medical Malpractice Caseloads in 13 Unified and General Jurisdiction Courts, 2005			•				•					•				•					
Incoming Contract Caseloads in 28 Unified and General Jurisdiction Courts, 2005	•		•			•	•	•	•			•				•	•	•			•
Incoming Small Claims Caseloads in 36 States, 2005	•	•	•	•	•	•	•		•	•		•	•	•	•	•	•	•	•		•
Incoming Non-Domestic Relations Restraining Order Cases in 11 States, 2005				•		•											•				
Total Appearances in Civil Section	7	4	10	6	5	9	12	5	7	7	3	11	6	6	6	10	11	8	3	6	
Domestic Relations																					
Percent Incoming Domestic Relations Caseload, by Court Type, 2005	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•
Incoming Domestic Relations Caseloads in 17 States, by Court Type, 2005	•		•			•	•						•		•				•		•
Incoming Domestic Relations Caseloads and Rates in 41 States, 2005	•		•	•	•	•	•		•	•	•	•	•	•	•	•	•	•	•		•
Reopened/Reactivated Domestic Relations Caseloads in 9 States, 2005									•	•				•							
Incoming Domestic Relations Caseload Composition in 30 States, by Court Type, 2005	•		•			•	•					•			•	•	•	•	•		•
Domestic Relations Clearance Rates in 29 States, 2005	•		•	•	•				•	•		•	•	•	•				•		
Domestic Relations Clearance Rates in 10 States, by Court Type, 2005	•		•										•		•				•		
Total Appearances in Domestic Relations Section	6	1	6	4	3	4	4	1	4	4	2	4	5	4	6	3	3	6	2	3	

MD	MA	MI	MN	MS*	MO	MT	NE	NV	NH	NJ	NM	NY	NC	ND	OH	OK*	OR	PA	PR	RI	SC	SD	TN	TX	UT	VT	VA	WA	WV	WI	WY*	Total	
.	52
.	52
.	49
.	52
.	28
.	25
.	21
.	24
.	20
.	12
4	7	10	4	4	9	4	4	5	9	9	9	8	6	5	9	3	9	7	10	4	7	4	5	9	4	10	5	5	8	5	3		

.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	52	
.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	52
.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	50
.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	14
.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	37
.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	7
.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	22
.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	32
.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	8
.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	3
.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	1
.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	6
.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	13
.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	28
.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	36
.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	11
4	7	12	10	11	10	4	4	5	10	11	8	7	4	11	9	2	6	3	10	11	5	3	9	9	8	6	3	9	5	12	2			

.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	52
.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	17
.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	41
.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	9
.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	30
.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	29
.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	10
6	3	5	3	1	4	1	4	4	6	4	5	6	3	5	4	1	4	3	1	2	1	3	4	1	4	7	2	4	6	5	1			

Index of States Included in Section Graphics, continued

	AL	AK	AZ	AR	CA	CO	CT	DE	DC	FL	GA	HI	ID	IL	IN	IA	KS	KY	LA	ME	
Criminal																					
Incoming Criminal Cases in State Courts, 2005	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.
Incoming Criminal Caseloads and Rates, 2005	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.
Reopened/Reactivated Crim. Caseloads in Unified and Gen. Jurisd. Courts in 13 States, 2005				.				.	.					.		.
Reopened/Reactivated Crim. Caseloads as a Percent. of Total Crim. Caseloads in 13 States, 2005				.				.	.					.		.
Criminal Caseload Composition in 31 States, 2005			.	.	.			.	.	.	.	.	.	.	.	.	.	.	.	.	.
Incoming Felony Caseloads and Rates in Unified and Gen. Jurisd. Courts in 37 States, 2005	.		.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.
Felony Clearance Rates in Unified and General Jurisdiction Courts in 30 States, 2005	.		.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.
Felony Caseload Comp. in the Gen. Jurisdiction Courts of Hawaii and Puerto Rico, 2005												.									
Incoming Misdemeanor Caseloads and Rates in 25 States, 2005			.	.	.			.	.	.	.	.	.	.	.	.	.	.	.	.	.
Misdemeanor Clearance Rates in 29 States, 2005			.	.	.			.	.	.	.	.	.	.	.	.	.	.	.	.	.
Total Appearances in Criminal Section	4	2	7	9	6	4	4	4	7	9	3	7	7	6	7	5	8	2	5	2	
Juvenile Section																					
Incoming Juvenile Caseloads and Rates in 41 States, 2005	.		.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.
Incoming Juvenile Caseloads in 10 States, 2005				.	.			.					.								.
Juvenile Caseload Clearance Rates in 31 States, 2005	.		.	.	.			.			.	.	.	.	.	.	.	.	.	.	.
Incoming Juvenile Caseloads in 12 States, 2005				.						.											.
Pending Juvenile Caseloads in 16 States, 2005			.	.				.		.	.	.	.	.	.	.	.	.	.	.	.
Incoming Juvenile Caseload Composition in 18 States, by Jurisdiction, 2005				.		.	.			.											.
Juvenile Delinquency Caseload Composition in Colorado and New Mexico, 2005						.															.
Juvenile Dependency Caseload Composition in North Carolina, 2005																					.
Total Appearances in Juvenile Section	2	0	3	6	3	3	2	0	4	1	4	3	3	4	0	1	2	1	1	1	
Traffic Section																					
Incoming Traffic/Violations Caseloads and Rates, 2005	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.
Incoming Non-Criminal Traffic Caseloads in 9 States, 2005			.		.								.	.							.
Incoming Non-criminal Traffic Rates in Four States, 2005																					.
Traffic/Violations Cases as a Percentage of All Incoming Cases in 13 States, 2005			.	.						.		.	.	.	.	.	.	.	.	.	.
Clearance Rates for Traffic/Violations Cases in 13 States, 2005			.	.						.		.	.	.	.	.	.	.	.	.	.
Total Appearances in Traffic Section	1	1	4	3	2	1	1	1	1	3	1	3	2	4	3	1	1	1	1	3	
Appellate Section																					
Total Appellate Caseloads, 2005	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.
Total Appellate Filings, 1996-2005	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.
Percentage Change in Appellate Caseloads	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.
Total Criminal Appeals Filed, 1996-2005	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.
Total Mandatory and Discretionary Caseloads in COLRs and IACs in 21 States, 2005		.	.	.	.					.	.								.	.	.
Total Discretionary Jurisdiction Petitions Filed and Granted in 20 States, 2005		.		.	.						.		.	.						.	.
Manner of Disposition in COLRs and IACs in 20 States, 2005	.	.				.	.			.	.	.	.	.	.	.	.	.	.	.	.
Total Appearances in Appellate Section	5	7	5	6	6	5	5	4	4	5	7	5	6	5	5	4	4	5	7	4	
Grand Total Appearances	43	27	70	63	43	50	56	31	52	55	30	63	60	50	62	38	54	36	47	34	

* Oklahoma and Wyoming did not submit data from their appellate or trial courts for 2005. Mississippi submitted data only from its appellate courts. They are included only in trend analyses and national estimates based upon the most recent data submitted (1997, 2003, and 2003, respectively). Note: States with unified trial courts are highlighted in red.

MD	MA	MI	MN	MS*	MO	MT	NE	NV	NH	NJ	NM	NY	NC	ND	OH	OK*	OR	PA	PR	RI	SC	SD	TN	TX	UT	VT	VA	WA	WV	WI	WY*	Total	
.	.	.	.		.	.	.	.	.	.	.	.	.	.	.		.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	49
.	.	.	.		.	.	.	.	.	.	.	.	.	.	.		.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	49
		.							.		.			.	.				.				.	.	.						.	13	
		.							.		.			.	.				.				.	.	.						.	13	
		.			.			.		.	.	.	.	.	.		.	.	.				.	.	.	.	.	.	.	.	.	.	31
	.	.	.		.			.		.	.	.	.	.	.		.	.	.			.	.	.	.	.	.	.	.	.	.	.	37
	.	.	.		.			.		.	.	.	.	.	.		.	.	.			.	.	.	.	.	.	.	.	.	.	.	30
																			.												.	2	
		.			.			.			.	.					.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	25
		.			.			.		.	.	.	.	.	.		.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	29
2	4	9	4	0	7	2	2	6	4	6	9	5	6	7	8	0	7	3	10	7	4	3	7	9	7	9	5	7	7	4	0		

.	.	.	.		.	.	.	.		.	.	.	.	.	.		.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	41
		.								.	.	.	.	.	.		.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	10
.		.	.		.	.		.		.	.	.	.	.	.		.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	31
		.			.			.		.	.	.	.	.	.		.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	12
		.			.			.		.	.	.	.	.	.		.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	16
.	.	.	.					.	.		.	.	.	.	.		.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	18
											.																				.	2	
												.																				.	1
3	2	4	4	0	4	2	1	2	3	4	7	6	5	3	6	0	3	5	0	2	0	2	0	0	4	5	2	4	2	2	0		

.	.	.	.		.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	50
		.							.	.																		.				9	
		.							.																.								4
		.							.	.									.			.		.	.	.	.	.	.	.	.	.	13
		.							.	.									.			.		.	.	.	.	.	.	.	.	.	13
1	3	3	1	0	1	1	1	1	5	4	1	1	1	1	1	1	1	1	3	1	1	3	0	1	3	4	1	2	1	1	1		

.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	50
.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	50
.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	50
.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	50
.	.	.	.	.					.	.		.					.	.				.				.	.					21	
.		.	.	.	.	.						.			.							.	.		.	.	.	.	.	.	.	.	20
		.	.					.							.							.	.	.	.	.	.	.	.	.	.	.	20
6	5	6	7	6	5	5	5	5	4	5	5	4	6	4	5	1	4	5	5	5	4	4	7	6	5	5	7	5	6	5	0		

36	47	68	46	31	58	31	28	35	63	62	66	57	45	57	65	8	56	39	50	53	27	28	48	53	56	65	36	61	57	51	7	
----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	---	----	----	----	----	----	----	----	----	----	----	----	----	----	----	---	--

Court Statistics Project Methodology

Information for the CSP's national caseload databases comes from published and unpublished sources supplied by state court administrators and appellate court clerks. Published data are typically taken from official state court annual reports and Web sites, so they take many forms and vary greatly in detail. Data from published sources are often supplemented by unpublished data received from the state courts in many formats, including internal management memoranda and computer-generated output. States also report and verify data electronically through spreadsheet templates provided by the Court Statistics Project.

The CSP data collection effort to build a comprehensive statistical profile of the work of state appellate and trial courts nationally is underway throughout the year. Extensive telephone contacts and follow-up correspondence are used to collect missing data, confirm the accuracy of available data, and determine the legal jurisdiction of each court. Information is also collected on the number of judges per court or court system (from annual reports, offices of state court administrators, and appellate court clerks); the state population (based on U.S. Bureau of the Census revised estimates); and special characteristics regarding subject matter jurisdiction and court structure.

Examining the Work of State Courts, 2006 is intended to enhance the potential for meaningful state court caseload comparisons. Because this volume examines 50 states, the District of Columbia, and the Commonwealth of Puerto

Rico, and thus 52 different court systems, the biggest challenge is to organize the data for valid state-to-state comparison among states and over time.

The Court Statistics Project can provide advice and clarification on the use of the statistics from this and previous caseload reports. Project staff can also provide the full range of information available from each state. Most states provide far more detailed caseload information than can be presented in project publications. Information from the CSP is also available on the NCSC Web site at: www.courtstatistics.org.

Comments, corrections, suggestions, and requests for information from readers of *Examining the Work of State Courts, 2006* and the *Caseload Highlights* series are invited; please submit on the form on the CSP Web page www.courtstatistics.org.

Or contact us at:

Director, Court Statistics Project
National Center for State Courts
300 Newport Avenue
Williamsburg, VA 23185
Phone: (800) 616-6109
Fax: (757) 564-2098

The analysis presented in *Examining the Work of State Courts, 2006* is derived in part from the data found in *State Court Caseload Statistics, 2006*. For the second year, *State Court Caseload Statistics* will be published exclusively online. This Web-based format will allow users to take advantage of improved functionality and make possible electronic access to the data.

The information and tables found in *State Court Caseload Statistics, 2006* are intended to serve as a detailed reference on the work of the nation's state courts, and are organized in the following manner:

State Court Structure Charts display the overall structure of each state court system on a one-page chart. Each state's chart identifies all the courts in operation in that state during 2005, describes their geographic and subject matter jurisdiction, notes the number of authorized judicial positions, indicates whether funding is primarily local or state, and outlines the routes of appeal between courts.

Jurisdiction and State Court Reporting Practices review basic information that affects the comparability of caseload information reports by the courts. Information is also provided that defines what constitutes a case in each court, making it possible to determine which appellate and trial courts compile caseload statistics on a similar basis. Finally, the numbers of judges and justices working in state trial and appellate courts are displayed.

2005 State Court Caseload Tables contain detailed information from the nation's state courts. Six tables detail information on appellate courts, and an additional six tables contain data on trial courts. Other tables describe trends in the volume of incoming and outgoing cases for the period 1996-2005. The tables also indicate the extent of standardization in the data for each state and the comparability of caseload information across the states.

State Court Caseload Statistics is available on the NCSC Web site at: www.courtstatistics.org.

CourTools

Performance Measures

Courts have long sought a set of balanced and realistic performance measures that are practical to implement and use. The ten *CourTools* performance measures were developed by the National Center for State Courts to meet that need.

Each of the ten *CourTools* measures follows a similar sequence, with steps supporting one another. These steps include a clear definition and statement of purpose, a measurement plan with instruments and data collection methods, and strategies for reporting results. Published in a visual format, *CourTools* uses illustrations, examples, and jargon-free language to make the measures easy to understand.



NCSC CourTools Home Page
www.courttools.org

Online Discussion and Meeting Space

The NCSC has also created a *CourTools* online meeting place. You can join the on-line discussions taking place there through the Join Now link at www.courttools.org. This online discussion space will facilitate the exchange of information among all the courts, Judicial Councils, and AOCs thinking about or engaged in performance measurement.

Members can:

- Post questions and comments in threaded discussions about the logistical, political, and practical issues that must be addressed in implementing performance measures
- View informational videos on key topics
- Inform colleagues about upcoming performance measurement events in your court by using the Calendar. The NCSC will post regional and national meetings of interest.

Analysis Templates

An additional implementation toolset created by NCSC is the ten Excel templates for data entry and analysis, also available on the *CourTools* Web site. These templates, which correspond to the ten measures, automatically generate graphs and tables that tell the story of your court, based on your data.

To learn more, visit *CourTools* on the Web at www.courttools.org.

To talk about implementing *CourTools* in your court, call the NCSC's Court Consulting Services division at 800-466-3063.

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